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PRIDE AND PREJUDICE
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a special report

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Big boost for police in CPS shake-up

Reforms will bring more cases to court

DONALD MACINTYRE
Political Editor

The Government is planning major reforms of the Crown Prosecution Service to quell police frustration and criticism from victims over the rising number of prosecutions dropped before they reach court.

In a significant change of policy, Sir Nicholas Lyell, the Attorney General, has undertaken an internal review of the CPS's functions and is shortly to put proposals to ministers designed to improve public confidence in the agency.

Among the changes ministers will consider are: basing some CPS lawyers at major police stations; a relaxation of the "51 per cent chance of conviction" rule that the CPS uses in deciding whether to pursue cases; and giving the police a mechanism by which they can challenge CPS decisions not to pursue prosecutions.

The plans will be seen as a further sign of the Government's determination to secure its law and order platform in the run-up to the general election, and are likely to meet with the strong approval of Michael Howard, the Home Secretary.

The reforms also follow consistent pressure for several months from Jack Straw, the Shadow Home Secretary, for a full-scale review of the CPS to deal with what Mr Straw claimed in a speech to the Po-

lice Federation in May was a "crisis of confidence in the criminal justice system."

Although at official level the Association of Chief Police Officers has continued to stress its close working relationship with the CPS, there have been widespread unofficial complaints from senior and middle-ranking police officers both over the "discontinuation" of prosecutions and what they see as a tendency by the CPS to "play safe" by committing original police charges to lesser ones.

There have been complaints from police officers and victims about a CPS practice - sometimes in return for guilty pleas on the part of the defendant - to change wounding charges to the lesser one of Actual Bodily Harm and Actual Bodily Harm charges to those of Common Assault.

The Attorney General disclosed in the Commons yesterday that he was already working on plans to install Crown Prosecution lawyers in police stations to improve liaison between officers and the prosecuting authorities.

Sir Nicholas said: "It is something we are thinking about very seriously indeed - the idea of placing CPS lawyers either in police stations or administrative support units or crime support units." Such units provide the back up for police officers preparing cases for prosecution.

Sir Nicholas added: "Close working relations between police and the Crown Prosecution

Service are of the essence of fair and efficient prosecution."

But Sir Nicholas's plan to improve liaison between police and prosecutors is only part of a wider ranging package of reforms which include a greater flexibility in applying the rigid tests by which the CPS decides that it has a better than even chance of securing conviction before a case goes to court.

At the same time, he is understood to be working on proposals to allow a "second look" after the CPS has decided to drop a particular prosecution because it judges that it does not have a sufficient chance of success in court.

This would allow the police an effective right of appeal in cases in which it believed that a prosecution was fully in the public interest.

In his May speech to the Police Federation Mr Straw proposed a series of changes to the CPS to take account of the fact that by 1993 the total number of offences had more than doubled to over 5.5 million but the number of people cautioned or convicted had fallen from 556,000 in 1980 to 517,000.

Mr Straw said last night: "This is a major change of heart by the government in response to public criticism and to Labour's proposal. The question is whether the Attorney General's proposals will match the need for change when they are published."

Prosecutors' "bias", page 2

After 10 hours, 45 minutes ...



England's heroes: Michael Atherton, left, who resisted the South African bowlers for 645 minutes, leaving the field with Jack Russell after the pair had saved the second Test in Johannesburg
Photograph: Laurence Griffiths / Empics

... he was still there at the end

MARTIN JOHNSON
Johannesburg

England's cricket team, not famous for too many famous victories in recent years, at least managed to pull off a famous draw yesterday. Michael Atherton, the captain, and Jack Russell, the wicketkeeper, battled throughout most of the final day to deny South Africa in Johannesburg, and keep the five-match series level at 0-0 with three Tests still to play.

Atherton, making his ninth Test match century, batted right through the final day for his best score for England, his heroic 182 not out spanning ten and three-quarter hours in all. Atherton was on the field with-

out a break from Friday afternoon right up until the end of the game last night.

Russell, who not so long ago spent a long period out of the side because of his perceived deficiencies as a batsman, joined his captain in what appeared to be a hopeless cause with half of England's second innings wickets gone and nearly five hours of the match still remaining. Russell was almost entirely strokeless for his 25 not out, but was still there at close of play.

Atherton's performance, aided by his manager Raymond Illingworth as "one of the great Test innings" and by the South African coach Bob Woolmer as "brilliant", ranked as a rearguard action alongside Dennis

Amis's 262 not out (nine hours) in Jamaica in 1974, and David Gower's 154 not out (nearly eight hours) on the same ground in 1981.

England, who began the final day written off at 167 for 4, lost only the wicket of Robin Smith before finishing at 351 for 5. A crowd of 14,000 had turned up in anticipation of a South African victory, but most had disappeared long before the end.

England have a long history of losing early matches and failing to come back in Test series, but now have a psychological advantage before the final three games in Durban, Port Elizabeth and Cape Town. Report, scorecard, page 28

Welfare war puts France on the edge

MARY DEJEVSKY
Paris

The French government was attempting to stand firm last night as it braced for a new and possibly decisive day of national protest today against its proposed welfare reforms.

After an emergency cabinet meeting, the government spokesman, Alain Lamassoure, said the authorities were determined to carry out reforms, especially an overhaul of the welfare system.

Power workers, hospital staff and lorry drivers joined the nationwide strikes against the reform of France's 50-year-old welfare system yesterday. Today tens, maybe hundreds, of thousands of workers, students and trade union activists are expected to join a protest march along the right bank of the Seine in central Paris while, at the National Assembly on the left bank, the Prime Minister, Alain Juppé, will mount his first major defence of his reforms since the protests began.

Mr Juppé will answer a motion of censure tabled by the opposition Socialist group in the National Assembly, breaking a silence on the reforms that has become deafening in recent days. Although there is no risk of the censure motion being passed - the Opposition parties combined have barely 20 per cent of parliamentary seats - the occasion gives the Prime Minister, and the government, a chance to gauge the strength of parliamentary opposition to their programme.

Speaking in the west African state of Benin on Sunday evening, in a section of an address which was immediately re-broadcast in France, President Jacques Chirac insisted that the choice of reform rather than "fatalism" was his, and that he would stand by it. Mr Chirac's intervention, believed to have been co-ordinated with Mr Juppé, provided the Prime Minister with urgently needed

support, but it also appeared to exclude the President from the mediating role some have said he should take should the crisis worsen.

Yesterday, with new groups of workers joining, or threatening to join, the strike and today's demonstration almost hourly, the government made its first attempt to limit the effects of the strikes on those who are still working. It hired 1,700 coaches to transport commuters from Paris suburbs into the capital and home again in the evening, and a bus service to connect the eastern and western extremities of the city centre.



However, fewer than 400 coaches were available for the morning rush hour, which meant renewed traffic jams morning and evening. With 80 per cent of postal sorting offices now on strike, a few regions set up emergency services, but the country remained paralysed.

The national rail service remains at a standstill, as does local public transport in Paris and several other cities. Airline workers again occupied the runways at Orly airport yesterday, blocking domestic air traffic for several hours.

France in Revolt, pages 10 and 11
Hamish McRae, page 22

British Gas smear was fed to Labour

CHRIS BLACKHURST

An internal British Gas memorandum containing inaccurate information about a computer was handed to the Labour Party, which quoted from the document under the cloak of parliamentary privilege.

This new revelation follows the disclosure in the Independent yesterday of the tactics being employed by Angus MacLind, a public relations adviser to British Gas, in handing out anonymous documents critical of Clare Spottiswoode, director-general of the watchdog Ofgas.

United Gas, the new competitor to British Gas, called last night for "Ofgas or alternatively the Department of Trade and Industry, to launch an official investigation to establish both the source of, and the authority behind, this anonymous material. We also reserve all our rights to legal redress and we will be considering our position further."

The company said it had been concerned for some time about attempts to discredit it. Roger Turner, managing director of United, said: "We deplore this kind of cowardly behaviour. If other companies, or other persons, wish to raise allegations about United Gas, they should do so openly rather than in this covert fashion."

United was particularly concerned about references in the Commons in March by Jack Cunningham, then Shadow Trade and Industry Secretary, that TransCo, the distribution arm of British Gas, was "having problems with United, which is not paying its bills."

Mr Cunningham was quoted directly from a memorandum prepared for a meeting of British Gas's public relations team, headed by Peter Sanghetti, the company's public affairs director. The memo set out a timetable of "events/announcements" affecting the PR

machine. Against the entry for early January 1995 was written: "TransCo will have a problem with United, who are not paying their bills."

United was stung by the remarks, which it said were completely unjustified. It told Dr Cunningham that the problem was of TransCo's own making, because the British Gas subsidiary had been performing badly, and its customers, including United, had decided to withhold cash until the problems had been resolved.

British Gas's rival compared the charge to the "dirty tricks" campaign waged by British Airways which made unfounded allegations of non-payment of bills against its upstart challenger, Virgin Atlantic.

In his reply to United's complaint, Dr Cunningham suggested United take it up directly with British Gas.

Margaret McKinlay, head of compliance at British Gas, wrote

TURN TO PAGE 2

Lottery cash may fund new plays

DAVID LISTER
Arts Correspondent

Plans to fund new operas, plays, paintings and ballets with money from the National Lottery are being considered by Virginia Bottomley, the Secretary of State for National Heritage.

Such changes, which would not need legislation, could have the bizarre result of publicly funded companies commissioning wealthy playwrights such as Harold Pinter or Tom Stoppard out of lottery takings, as well as helping struggling artists in need of a lifeline.

They would also benefit dance and drama students on discretionary grants who have been hit hard by local authority cuts in recent years.

While these alterations to the lottery might find favour in the arts world they would risk charges of elitism elsewhere, and questions as to why painters and playwrights should not take their chances in the marketplace with everyone else. Students who are not on art courses will also want a share of lottery money to help boost their grants.

The Arts Council chairman, Lord Gowrie, is determined to

press Mrs Bottomley for more help for the arts from the lottery. At present lottery funds are intended mainly for capital projects such as new buildings. He will urge that this be extended to new work such as plays and operas on the grounds that these are just as much new creations as buildings.

He will also argue that there is little point in giving lottery money to new buildings when the council, after a cash cut of £5m, cannot afford to fund the work going on inside them.

Arts Council officials are currently having discussions

with civil servants from the Department of National Heritage on extending the lottery.

An Arts Council insider said that both sides were united in wanting to extend the scope of the lottery to commission new work. The source confirmed that this could indeed mean lottery money being used to commission new work from established writers such as Pinter and Stoppard, but the main thrust would be towards companies commissioning new, young artists.

Mrs Bottomley was disappointed with Treasury cuts to the

arts and last week publicly emphasised "the need to invest in people".

Giving bursaries to dance and drama students is being seen as one way of investing in people and the National Heritage Secretary has also said that the lottery needs to help the young.



IN BRIEF

Swalec bonanza

More than 1,600 staff at Swalec, the South Wales electricity distributor, will make a £21,000-a-head profit on share options in the wake of an agreed £872m takeover from Cardiff-based utility, Welsh Water. Page 21

Disaster inquiry

Fifteen years after the sinking of the 90,000-tonne Derbyshire, Britain's largest merchant navy loss, a £2m underwater investigation into the disaster is to be mounted. Page 2

Today's weather

Very cold across the UK, with snow setting in some eastern areas. Section Two, page 21

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news

Maritime mystery: Victims' families hope truth will finally be established 15 years after ship sank in Pacific

New inquiry into loss of 'Derbyshire'

CHRISTIAN WOLMAR
Transport Correspondent

A £2m underwater investigation is to be mounted 15 years after the sinking of the 90,000-tonne *Derbyshire*, Britain's largest merchant navy loss, in an effort to ascertain the cause of the disaster.

The decision by Sir George Young, Secretary of State for Transport, to mount the expedition was made after he read a report by the former Master of the *Rolls*, Lord Donaldson, into the loss of the ship, published yesterday. Lord Donaldson argues that the need for the inquiry is "compelling" be-

cause of the widespread implications for seafarers in the 400 hulk carriers now sailing the world. Between 1980 and 1994, 149 hulk carriers have been lost with the deaths of 1,144 seafarers, including nine losses with 123 deaths last year.

The decision is a vindication of a 15-year battle by the families of the 44 who died on the ship and by international trade unions to reopen the inquiry into the loss of the *Derbyshire*, which was carrying iron ore. They have argued that the sinking points to basic structural design flaws and last year the International Transport Workers Federation paid £400,000 for

an underwater investigation of the ship which lies 4,100 metres (13,451 ft) down in the Pacific off Japan. Pictures taken during that expedition led to Lord Donaldson's inquiry.

Lord Donaldson expressed the hope that the expedition could take place next spring because of his fears for the "sailors put at risk" if it cannot be prepared in time.

A previous inquiry into the loss, in 1985-86, was felt to have been a whitewash because while its leaked draft conclusion suggested that the accident was caused by a structural failure, the final version merely said that no cause could be ascertained

When a sister ship of the *Derbyshire*, the *Kawloon Bridge*, sank with suspicions that it had similar structural faults to those on the *Derbyshire* the inquiry was reopened but it found that "the *Derbyshire* was probably overwhelmed by the forces of nature in 'Typhoon Orchid'". Renewed attempts to reopen the inquiry were rejected by the then transport secretary, Malcolm Rifkind, in 1991.

Although the trade union expedition found the fore section of the ship, the aft part has not yet been found. Lord Donaldson said that if the new expedition discovered it well separated from the aft, "say five

kilometres", then structural break-up was the likely cause of what is one the "great unexplained mysteries" of the sea.

Lord Donaldson identified three possible causes of the sinking: structural failure at Frame 65, which is close to the engine room and crew accommodation; the failure of the front hatch cover under pressure from waves; or corrosion, which in a four-year-old ship, would have serious implications.

Lord Donaldson said no significant design changes had been made to bulk carriers since the accident.

Hatch covers now, as when the *Derbyshire* was built, were



The 'Derbyshire' was lost with the cost of 44 lives

designed to withstand a less-than 6 ft head of water, whereas in severe conditions pressures could be much greater.

Lord Donaldson said: "I personally find this quite astonishing, whether or not it is established that this was the cause, or a contributory cause, of the loss."

IN BRIEF

Labour acts over 'problem' council

Labour's National Executive Committee has intervened to knock heads together in the "fraught" ruling Labour group on Hackney council, in north London, following its rancorous split earlier this year, it was revealed yesterday.

"The problem is an unwillingness of some councillors to take tough decisions," said a Labour spokesman, citing the reluctance to close the underperforming Hackney Downs school. "Every suggestion for making cuts is voted down by one coalition or another."

Since leader John McCafferty was ousted in May, Labour has been worried a local difficulty could escalate into a national embarrassment. The decision to intervene, taken by the NEC last week but not publicised, followed a request from new council leader, Nick Tallentire.

'Mad cow' row

Professor Jeffrey Almond, chairman of the Independent Spongiform Encephalopathy Advisory Committee, a working group investigating mad cow disease, condemned Ministry of Agriculture cuts at one of the main centres investigating the disease. The loss of £330,000 at the Neuropathogenesis Unit, in Edinburgh, which will cost up to 15 of 50 jobs, is "scandalous" and "crazy", he said.

Mitchell sets date

The first hearings of the international body dealing with the decommissioning of IRA and Loyalist paramilitary weapons, chaired by US Senator George Mitchell, were set for 15 to 18 of this month.

Girl's £1.7m award

A brain-damaged girl was awarded £1.7m after a High Court judge watched a "moving" video of her and her mother, West London Hamamam and Queen Charlotte's Hospital Special Health Authority admitted negligence in their care of Maureen Helliwell hours before the birth in 1987 of her daughter Elizabeth, now eight, who suffered cerebral palsy.

Union turns left

Davey Hall, a candidate backed by the left, was elected leader of the Amalgamated Engineering and Electrical Union, one of the Labour Party's highest and most right-wing affiliates. Mr Hall, 44, an official from Tyne and Wear, beat the official right-wing candidate by 74,060 votes to 50,564 in a postal ballot on a turnout of 28 per cent. He takes over from Bill Jordan in the New Year.

Man's head pierced

A factory worker who pulled a superheated steel rod out of his head with his hands after an accident in 1991 was awarded an estimated £1m damages after the High Court was told he was now a "helpless nobody". An 85-metre-long bar, heated to between 500 and 700°C, went right through 28-year-old Kelvin Page's skull after it shot off a cooling bed at Co Steel UK factory in Sheerness, Kent. He suffered severe brain damage. The firm did not dispute liability.

Divorce vote appeal

The Dublin High Court gave the chairman of the Anti-Divorce Campaign, former senator Des Hanafin, leave to appeal against the result of last month's Irish divorce referendum. He maintained it was passed only after "unlawful and unconstitutional" use of public funds to promote a pro-divorce victory.

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Question of justice: Crown prosecutor complains of 'undue pressure' by officers

Police accused of forcing trials on lawyers

STEPHEN WARD
Legal Affairs Correspondent

Chuck Nduka-Eze's experience illustrates the day-to-day conflicts between the police and the Crown Prosecution Service over which cases to take to trial.

Until this summer he worked as a senior Crown prosecutor in London, bringing cases to Bow Street magistrates' court. He left his job after a row which brought to a head his concerns that the CPS was too often taking the police's word for it that a prosecution was sound, and was not rigorously independent enough.

"The CPS was set up to give an independent assessment of cases, away from the police. We have to decide two things: there must be a realistic prospect of conviction and it must be in the public interest to go ahead. Those are judgements we are supposed to make, not the police," he said.

"The police don't care. Their view is: 'This man has done it. Let's get him into court.'"

He accepts that there has to be give and take with the police, in the pressured circumstances of a magistrates' court.

The advice in his office was: "Best keep on the right side of the police", and there was pressure on him to be "a good team player", he said.

"By law I should be allowed say I was not happy with any case. That was my role."

He said different CPS office bosses took different views of their relationship with the police. Some backed their prosecutors more than others when they complained of undue pressure. He contends that his boss did not back him early adequately.

Mr Nduka-Eze, 32, a barrister, has now returned to the Bar and is suing the CPS for breach of contract and taking his case to an industrial tribunal claiming that he was forced out of his job after resisting police pressure to bend the rules. The CPS has said it intends to defend the cases strenuously but would not comment on details of the allegations.



Chuck Nduka-Eze: Says the CPS is not independent enough Photograph: David Sandison

the Vice Squad turned up too late for him to see the papers, but offered to go into the witness box to say the man was dangerous and there was a risk of harm to the woman. He refused, and said he needed time to make up his own mind. Within minutes an inspector arrived to

put pressure on him. Eventually, he had to go along with the suggestion, and the police got the man in custody they wanted.

When he later saw the papers, he found the woman had no convictions for prostitution, and the couple had three children and had been living together for

13 years with no allegations to the police for violence.

The police complained formally about Mr Nduka-Eze, and although his version of events was eventually accepted by his boss, David Atkins, he was later transferred to duties in a different area.

Gas smear was fed to Labour

FROM PAGE ONE

to United explaining that the company could not be responsible for Dr Cunningham's words. She added the company was holding a leak inquiry.

Dr Cunningham said last night that he did not get the information on which he based his Commons statement "directly from British Gas."

Labour joined the controversy yesterday and called for an inquiry by the Office of Fair Trading into the attacks on Ms Spottiswoode and United's threat of legal action. Nigel Griffiths, the party's trade and industry spokesman, said he would be writing to the OFT and "ministers should also investigate."

For the Liberal Democrats, Nick Harvey said: "Mr Maitland has done himself no favours. If there are criticisms to be made of utility regulators, let us have them done properly and openly."

A British Gas spokeswoman last night said the company was not to blame for Dr Cunningham's comments. "It was

leaked. United took it up with us and we have given them a full account and apologised."

Responding to the article in yesterday's *Independent* about Mr Maitland's activities, the spokeswoman said: "There is no smear campaign emanating from the offices of British Gas, and to suggest such a thing is nonsense."

Child asylum-seekers are 'victims of war'

LOUISE JURY

The majority of lone children arriving in Britain to seek asylum are not economic migrants but victims of war and civil disturbance, it was claimed yesterday.

As the Government prepares a clampdown on the unaccompanied arrivals following a 67 per cent increase in their numbers, solicitors and refugee workers described the conditions which forced them to flee their homelands.

Tim Kirkhope, the Home Office minister responsible for

immigration, condemned these children's parents for sending them to an "uncertain future", and said he believed many were economic migrants sent to Britain because their families could not support them.

Numbers are expected to top 600 by the end of the year, Mr Kirkhope said, at an estimated annual cost to the taxpayer of £12m.

But refugee workers and solicitors said although family poverty was a factor in some cases, many young people fled conscription or risked physical

assault if they had stayed in their native countries.

In families already devastated by civil unrest or fighting, often the eldest son would be sent to safety to ensure the family line was preserved.

Peter Bartram, a solicitor whose practice lies near Heathrow airport, said they had seen youngsters from countries like Afghanistan who had already seen frontline action.

Official figures showed that famine and civil war have a significant impact on numbers. Mr Bartram noted increases from Eritrea during its war and from Sierra Leone during rebel uprisings.

Mr Bartram said: "Even if they haven't actually been in personal danger, their family has often suffered tragedies. They are often very, very isolated. Not only have they been separated from their families, but arriving here, they are in a completely alien culture." Some even had no idea which country they were in.

The majority are around the age of 16 and few are younger than 14. Terry Smith, of the children's division of the Refugee Council, said that the increase was undoubtedly but also marked better identification procedures by immigration officials.

As soon as lone arrivals are identified, they become the responsibility of social services. Roy Mills, spokesman for Hillingdon council which covers Heathrow, said they currently have 144 children under 18 costing the authority £2.8 million a year. Unless a relative was traced in Britain, most then remain in council care.

Escape from clutches of Afghan guerrillas

Mohamed (not his real name) was abducted from the streets of Peshawar, Pakistan, and forced to carry ammunition for Afghan rebels, writes Louise Jury.

The bullets were in little boxes and some were in long straps, he has told his solicitors at Peter Bartram and Co. Grenades looked like a little ball with a pin in the top and a kalashnikov was different from other kinds of guns. One of the bigger guns needed a tripod, he said.

It is not the detail you would expect from a 15-year-old who can neither read nor write and who has never seen a television.

Like a beast of burden, he shouldered his heavy loads in the mountains on the Afghanistan border. He has described how the rebels made him walk in front of tanks. Any landmine

would blow his leg off, instead of disabling the tank.

He was kept locked up overnight, he has said, and was only ever let out to work.

Only when the man in charge of the munitions was shot did he see his chance to escape.

Fearing what would happen to him, members of Mohamed's family smuggled him on board a plane in Pakistan. He was told to keep down, stay quiet. He arrived alone and unannounced at Heathrow airport four weeks ago. He is claiming asylum and is intensely worried about being sent back.

The solicitors have no way of knowing whether his story is true, but they believe that it is. There have been other cases of children abducted in Peshawar.

Algerian exile 'facing death by deportation'

PETER VICTOR

An Algerian former policeman married to a British woman is today being deported to face what his friends fear is certain death.

Hocine Dib, 29, who has lived in Britain for the last two years, was due to be deported by British immigration authorities at 6am today on the grounds that he is an illegal immigrant. His pleas for political asylum have been ignored, despite mass murder and terror in his home country.

In the past three years, 40,000 people have been killed in Algeria; some 50 people get murdered every night. The GIA (Armed Islamic Group) in Algeria specifically targets policemen, journalists and people with links to the West. The authorities have killed in cold blood people they suspect of supporting the fundamentalists.

Mr Dib's wife, Patti, a teacher, said after visiting him yesterday at Rochester prison: "I now have the choice between losing my husband or leaving my mother-in-law behind to live in a country the Home Office says is too dangerous for Britons to visit."

Mr Dib arrived in Britain in



Hocine Dib: 'Could be in danger from either side'

Home Office for an immigration "interview". On arrival he was arrested, told he would be deported and taken to Southwark police station and then Heathrow Airport.

Mrs Dib said: "He could be in danger from either side. The extremists are still dangerous and the police might want to 'interview' him because he deserted his post."

"He only joined the police because he liked detective work. People arrive in Algeria and don't even make it through customs."

The couple's lawyer is now considering applying for a judicial review. A Home Office spokesman said he would not discuss individual cases.

A Home Office minister yesterday defended plans to send a democracy activist back to Nigeria. Ahioudun Ighidun claims he faces persecution and torture at home, where nine human rights campaigners, including the writer Ken Saro-Wiwa, were executed last month. Immigration minister Ann Widdecombe said: "Obviously we simply can't say that anyone in Nigeria who is disaffected with the regime can just come here in a blanket way."

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سكرا من الامل

MP's wife 'made obscene calls to neighbour'

REBECCA FOWLER

The wife of David Ashby, the Tory MP, made obscene phone calls to a neighbour, suggesting he was having a homosexual affair with her husband, it was claimed in court yesterday.

Dr Ciaran Kilduff, 32, who lived in the flat beneath Mr. Ashby's told a jury that following the collapse of her marriage Silvana Ashby, 53, left at least three abusive messages on his answering machine in October 1993, before he changed his telephone number.

"The gist of the messages was I had been having a homosexual affair," Dr Kilduff said. "The last call was not a message, it was just a trade of obscenities."

Dr Kilduff was giving evidence in the second week of the libel case brought against the *Sunday Times* and its former editor, Andrew Neil, by Mr. Ashby over allegations that he is a homosexual.

Although Mr. Ashby has agreed he shared a bed with Dr Kilduff on a trip to France to save money, he denies the newspaper's allegations, and both he and Dr Kilduff deny they were physically intimate.

Dr Kilduff, who spoke in a soft Irish accent, dismissed the allegation as "nonsense". Dr Kilduff had agreed to the French trip, provided it was carefully budgeted, because he believed Mr. Ashby was depressed by a furious argument with his wife over Christmas 1993.

Mrs Ashby allegedly arrived at their flat in Putney, south-west London, on Christmas Eve 1993, after Mr. Ashby refused her invitation to Christmas lunch because he had arranged to spend it with Dr Kilduff.

Dr Kilduff denied that Mrs Ashby had seen Mr. Ashby put his arm around him through the kitchen window, where he was preparing a salad supper. He said she caused a commotion and eventually he had to call the police.



David Ashby and his daughter Alexandra

"Her behaviour was absolutely bizarre. I certainly hadn't seen anything like it outside my work place," said Dr Kilduff, who was working with psychiatric patients at the time. "She was in a complete frenzy. She wasn't making any sense."

...she then proceeded to go into his study and start ripping the wallpaper off the wall."

Dr. Kilduff travelled to France with Mr. Ashby in the new year. On the second day they went to Agincourt in north-west France and then to the nearby Chateau Tilque hotel. Dr Kilduff accepted a double room which he said he expected to be twin-bedded.

"We went into the room and somewhat to my surprise it wasn't twin-bedded. It had one very large double bed," Dr Kilduff said, although he later added he was used to sharing a bed with his brothers as a child because he had so many siblings.

"Anyway the fact was we were there. It had been a long cold day. I don't think we were in the mood to go traipsing back down to say this isn't good enough."

Mr. Ashby's daughter also gave evidence yesterday. Alexandra Ashby, 27, described her parents' tormented marriage, and said she felt forced to support her father in the case against her mother's claims, although she loved them "deeply" and "equally".

As Mr and Mrs Ashby sat at separate ends of the courtroom, Miss Ashby portrayed their frequent fights in which her mother, prone to "exaggeration and invention", accused her father of both homosexual and heterosexual affairs.

Among those her mother named were a male parliamentary researcher, a male harristier friend, and a woman from his constituency, Leicestershire North West.

Miss Ashby also said her mother had accused her of being a lesbian when she was 15 because she shared a changing booth with a girlfriend on a private Italian beach during a family holiday.

"I don't know what provoked her," Miss Ashby said. "She made a big scene in front of all my friends on the beach. It was terrible."

The case continues.

Good Morning and bad blood: Presenter's husband enters fray over ailing show with attack on BBC's production values

How cosy chats on the sofa turned into a daytime drama

MARIANNE MACDONALD
Media Correspondent

The cosy image of *Good Morning with Anne and Nick* was yesterday shattered by accusations of feminism and political correctness in a confrontation worthy of any daytime soap opera.

The row involved Anne Diamond, her husband, her editor and the senior executive in charge of the show in a disagreement which proved that the knives were out behind the famous sofas.

Disagreement has been simmering for months, fuelled by rumours from BBC sources that the show - co-hosted by Nick Owen - was to be axed after steadily losing viewers to *This Morning*, its slicker ITV rival fronted by Judy Finnigan and Richard Madeley.

The ITV show pulls in 1.9 million viewers and plaudits for its sharpness, sexual chemistry and humour, while *Good Morning* has been struggling to keep 800,000 viewers in the face of accusations that it is more interested in knitting patterns than people.

But the presenters are not to blame, according to Mike Hollingsworth, Anne Diamond's husband and a former editor of the programme. In an attack that will do little to endear his wife to staff, he claimed yesterday that her opinions were ignored by the production team, that she had objected to the appointment of the programme's editor, and that as a presenter she was treated as "the lowest of the low".

He also blamed Rod Nield, the executive in overall charge of *Good Morning*, for refusing to clarify "a very ambiguous statement" about the programme's future - presumably to "generate insecurity".

But Mr Hollingsworth reserved the most ire for the programme editor - Tessa Finch, a former *Express* gossip columnist whom he hired as a researcher and who succeeded him when he left the show two years ago.

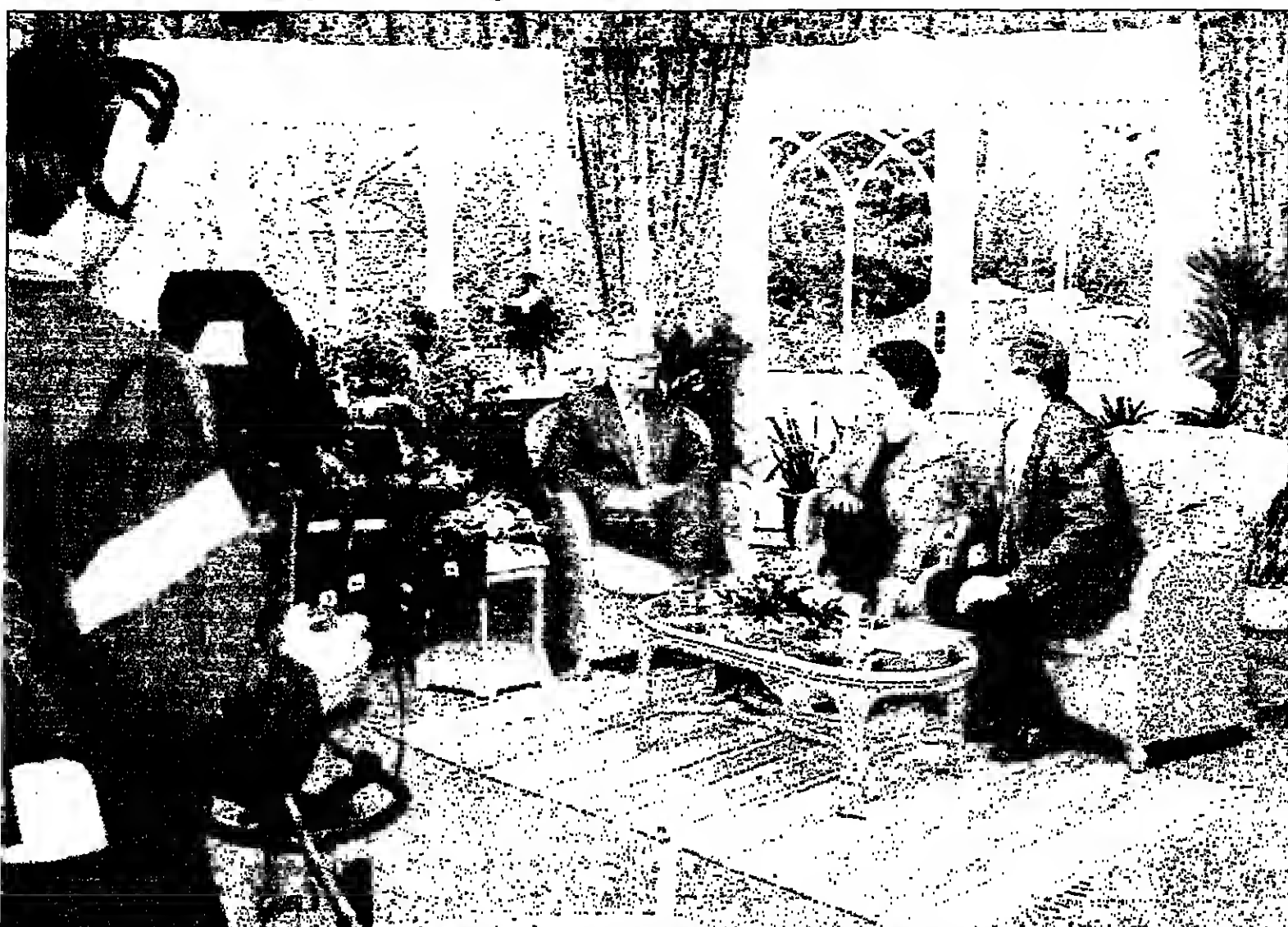
"She has nothing in common with the viewers," he said - describing her as one of a breed of "cold, politically correct, ambitious" young managers. Mr Hollingsworth said he was "astonished" to learn she had been given the job after Ms Diamond and Mr Owen "said quite clearly she was not the right person".

He added: "Anne and Nick have tried their best. I have watched it and I have felt so helpless because I could see what was happening. They were being asked to introduce items that had no relevance to their viewing audience."

His outburst follows months of troubled relations between Ms Diamond and her bosses. In the summer she went into the corporation's black books for insisting on a four-day week in order to spend more time with her children. She got her way, but it cannot have helped the programme's long-term chances at a time when it was being outstripped by its ITV rival.

The words of Andy Allan, chief executive of Carlton TV, hang ominously in the memory. He has accused both morning programmes of being part of daytime scheduling which was the equivalent of a "flotation tank where you are able to relax by being robbed of all sensory experience".

Prime time: John Major being interviewed by Anne and Nick on their morning show earlier this year



Prime time: John Major being interviewed by Anne and Nick on their morning show earlier this year

Photograph: News Team

How the stars compare in the sofa wars

	This Morning, ITV	Good Morning, BBC1
Viewing figures	1.9m	0.8m
Hosts	Judy Finnigan and Richard Madeley	Anne Diamond and Nick Owen
Year began	1988	1992
Salaries	about £250,000 each	also about £250,000 each
Location	Albert Dock, Liverpool, but moving to London	Pebble Mill, Birmingham
Sexual chemistry	Not bad, they're married	Non-existent, they're married to other people
Most embarrassing episode	When Richard was accused of shoplifting (he was acquitted)	The man they nominated as the male half of Britain's most romantic couple was a bisexual who fancied Arnold Schwarzenegger
Cause	Kelly Chegwinn revealed his drinking problem, Antonio de Sancha talked about her affair with David Moline, Stephanie Slater came face to face with the wife of her kidnapper	John Major revealed he doesn't talk politics at home with Norma, Jamie Blandford revealed his father never hugged him, Denis Haily called Anne a "shit"
Critical comment	"The entire programme resembles one of the acts for cheap carpets that appear during its commercial breaks: just, its tacky and plastic, but it's only 10p a yard and it covers a huge area for next to no cost." - Victor Lewis-Smith, <i>Evening Standard</i>	"A grisly mixture of fawning and fumbling, a cack-handed exercise in sponsored time-wasting" - Craig Brown, the <i>Sunday Times</i>

Ministers press for royal divorce

COLIN BROWN
Chief Political Correspondent

A future role for the Prince of Wales will be discussed along with a role for his estranged wife tonight at an audience at Buckingham Palace between the Queen and the Prime Minister.

Prince Charles has underlined his disappointment in the past with the failure of the Department of Trade and Industry to use him more effectively in selling Britain and British products abroad.

Ministers are opposed to giving the Prince of Wales any diplomatic role abroad, in spite of the apparent success of her visit to Argentina, until her relationship with the Prince of Wales has been clarified. She is under pressure either to resolve her differences or to agree to move towards an early divorce.

"What ministers are nervous about is they don't want the Princess to be given a role now that can be used by her as a lever against the Prince of Wales," one ministerial source said.

Ministers and the Palace - described by the Princess as "the enemy" - are keen to give her a wider role, providing she accepts the discipline such responsibility brings.

The move is certain to be seen as an attempt by the Palace and Prince Charles's associates to silence the Princess and end the embarrassment of her outspoken disclosures about her extramarital affair, and her views about his fitness to become King.

John Major and the Queen are also likely to touch on the future of the Royal Yacht *Britannia*, which is to be sold off. The Ministry of Defence no longer wants to support a replacement, but the DTI values it as a centre to promote British business and exports, and ministers are trying to secure private investment for a more cost-effective Royal Yacht.

The Queen Mother, 95, left hospital yesterday 18 days after her successful hip operation, walking unaided out of the King Edward VII Hospital for Officers, in London.

Battered wife appeal begins

HEATHER MILLS
Home Affairs Correspondent

Sara Thornton, a cause célèbre for battered women, yesterday began a second Court of Appeal attempt to overturn her conviction for murdering her drunken, violent husband.

Michael Mansfield QC said Mrs Thornton, now 38, should benefit from changes in both the law and in expert opinion, in relation to battered wives syndrome and defences to murder - particularly the issue of provocation.

Furthermore, there was new evidence - some of it available at her trial and not used - supporting her claims of repeated abuse and drunken violence at the hands of her husband, Malcolm Thornton. Dr Max Glatt, a world authority on alcoholism, who had treated Mr Thornton, had stated that the wives of alcoholics "lived on the edge of a volcano" and could easily snap as a result of provocation over a long period of time.

Mrs Thornton, of Atherton, Warwickshire, had sought the help of friends, her GP and solicitor, the police, Alcoholics Anonymous and a psychiatrist specialising in alcohol abuse before she killed her husband, Malcolm, a former policeman, on 14 June 1989. With a single deep thrust, she fatally stabbed him in the stomach with a kitchen knife. He had been calling her a whore and repeated his threats to kill her.

The appeal continues today.



Sara Thornton: 'Lived on the edge of a volcano'

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news

Care row: Inquiry launched into county's social services amid allegations of misuse of funds



**Lancashire
County
Council**



'In distress': Geraldine Robinson, a cerebral palsy sufferer whose home help is being cut, in a social services brochure, left, and at home, above Photograph: Peter Lomas

Handicapped hit by cutbacks

CHRIS BLACKHURST

An inquiry has been launched into allegations of financial mismanagement by a county social services department.

Herbert Laming, the Government's chief inspector of social services, has been asked by the health minister, John Bawls, to look into sweeping cutbacks in care packages by Lancashire social services.

Mr Bawls said he was asking Mr Laming "to provide a full report on the position in Lancashire so that I can then decide whether further action by central government is appropriate".

The minister was responding to widespread fury in Lancashire about the cuts. In one case a handicapped woman who appears on the cover of a brochure promoting the county's social services has had her home help package slashed by

the same body from £700 to £300 per week.

The parents of Geraldine Robinson, who suffers from cerebral palsy, said they were outraged by the move, which they claim was entirely unjustified - there had been no improvement in her condition.

"We are appalled," said Catherine Robinson. "I do not think there are words strong enough to describe how we feel." Geraldine, her mother said, "is very distressed about it. She cannot concentrate on anything. I despair for her."

Geraldine Robinson was encouraged by the council to live independently and move into a two-bedroomed unit, to allow her carers to be with her. According to Harold Elletson, Conservative MP for Blackpool North, she was told she had to accept the cuts and withdrawal of some of her care or face go-

ing into residential accommodation - which she abhorred.

The fact that a picture showing her in a wheelchair was in the leaflet added insult to injury. "It makes it even worse," said Mrs Robinson, at her Blackpool home. "We are hoping the chief inspector will sort it out." Ms Robinson, who requires 24-hour care, is one of many people across Lancashire to feel the brunt of the cuts.

Local Tory MPs, who pressed Mr Bawls to send in the chief inspector, say their mail-bags are full of complaints at reductions in home helps and respite care. People with learning difficulties also face increases in charges for non-residential services.

Nigel Evans, Tory MP for Ribblesdale, cited the case of an 85-year old woman in his constituency who after having a home help for 15 years has

been told the service is being withdrawn this month.

Social services staff have reportedly been told to reduce their home visits because the council can no longer afford their mileage. The Tories accused the Labour-led council of misallocation of resources. This was not a case, they claimed, of central government wielding the axe.

"The total amount available to Lancashire County Council to spend on social services has consistently increased since 1990-91, when total funding of social services was £92m," Mr Elletson said. In 1993-94, that figure had risen to £147m, in the last financial year it was up to £169m and this year, Mr Elletson claimed, there is £185m available.

Despite the increases, Lancashire has been plunged into crisis. One of the reasons, the

Tories charge, is the council's insistence on relying upon its own inefficient in-house services. Council-run services cost between £11.20 and £17 an hour, compared with £5.75 to £6 an hour in the private sector. Another reason is misallocation of resources.

While Ms Robinson has seen her care package cut, it is claimed that the council found £2,000 a week to send someone less deserving than her on a riding course in Ireland and also to go to Australia, all in the company of social workers.

While the Conservatives argue, the council has been to protect the jobs of its own staff - last year it took on a further 203 in its social services department - it is not prepared to support the county's 15,000 private sector care workers. The independent Lancashire Homes Association estimates £10.8m

could be saved from the council budget if it made full use of their facilities.

This is denied by the council, which accuses the Tories of underfunding community care. This year 44 per cent of its social services budget will be spent in the private sector.

"Lancashire has sought to offer choice between care at home and residential care," said Joan Humble, chairwoman of the social services committee. "Changes in funding arrangements and insufficiency of funds severely limited the capacity for such choice, and also meant some people suffered a loss or withdrawal of service in order that the needs of the most dependent people could be met."

She said the council would co-operate with Mr Laming's inquiry but health department officials "simply already have all the information they require".

Death left tycoon's son facing chaos

JOHN WILCOCK
Financial Correspondent

The Maxwell Trial



An Old Bailey jury was asked yesterday to remember the chaos which followed the sudden death of Robert Maxwell. In his closing speech for Ian Maxwell, Edmund Lawson QC told the jury that on 8 November 1991, barely three days after his father's mysterious death at sea, Ian Maxwell had signed documents relating to the pledging of shares in the Israeli company Ibra.

Ian Maxwell would not have been involved at all but for the enforced absence of his younger brother, Kevin, in New York.

Mr Lawson said that in those days, apart from coping with his own grief, there was a large publishing business to run, world leaders and the press to deal with as well as the task of arranging his father's funeral.

When the prosecution claimed that "this must have been thought of, this must have been spoken of" at the time, Mr Lawson asked the jury to remember all the things that were actually happening in those chaotic days.

He said that although Ian Maxwell had been described repeatedly by the prosecution as no fool, he was not a financial expert. "I do not suggest he was a dimbo," Mr Lawson said. "He is an able businessman." However, his role in the Maxwell empire had been non-financial.

He said one thing the trial - now in its seventh month - had shown was how hard everyone had worked. "It wasn't all caviar, it wasn't all luxury."

Mr Lawson accused the media of baselessly and maliciously trying to slander Ian Maxwell and making a sick joke out of the Maxwells. "But this case has been no joke for Ian Maxwell, it has been purgatory." He had waited three and a half years to demonstrate his innocence to a "fair-minded tribunal".

Ian Maxwell, Kevin Maxwell and a former Maxwell executive, Larry Trachtenberg, deny conspiracy to defraud the pension funds by misusing £22m worth of the Teva shares.

The prosecution claim the defendants knew the shares be-

longed to the pension fund and not to the Robert Maxwell Group when they pledged them and dishonestly put them at risk.

Ian Maxwell and Trachtenberg have not given evidence but Kevin Maxwell told the court he believed his father when he told him the beneficial ownership of the shares had been transferred from BIM (Bishopsgate Investment Management, which administered the pension fund) to RMG.

Kevin Maxwell alone denies a similar charge of conspiring with his father to misuse £100m worth of shares in another Israeli company, Sizer. The prosecution claim these shares too belonged to BIM and were dishonestly used by the Maxwells to pay private company debts. Kevin Maxwell has claimed that his father again told him that beneficial ownership had been transferred from BIM to RMG and had shown him an amended document supporting this.

Earlier, Michael Hill QC, for Mr Trachtenberg, said he was not part of the "inner circle" of the Maxwell Group. The American-born former United Nations researcher had degrees in international and political studies, not finance.

Mr Hill accused Trevor Cook, a BIM executive, of lying in court to serve his own interests and to protect himself. Mr Hill said the prosecution had not proved their allegations that Trachtenberg participated in a fraudulent scheme.

Lord Justice Phillips has told the jury he hopes to start summing up a week today, but asked them for their Christmas plans in case he is not ready and has to sit beyond Christmas.

The trial was adjourned until today.

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Gun law: The multiple-launch rocket system in action at the Otterburn firing range, in Northumberland

Photograph: Ted Ditchburn

Range row: Military fire new salvo in fight over unspoilt area Army's heavy guns target national park

NICHOLAS SCHOON
Environment Correspondent

The Army opened a powerful new offensive yesterday in its campaign to bring some of its noisiest weapon systems to an English national park.

The military wants to start training with heavy tracked artillery vehicles at its Otterburn training area, which occupies a fifth of the 400 square miles of Northumberland National Park.

It has been negotiating for two years with the local council committee which controls planning over its controversial £23m training development which involves a few new buildings, a concrete apron at Otterburn camp and the widening of more than 20 miles of roads.

When councillors held their quarterly meeting yesterday the Army presented proposals to ease the environmental damage threatened by the plan.

By law, national parks are intended to preserve the natural beauty of Britain's wildest landscapes while promoting public enjoyment. The Government says there should never be any large development within them "save in exceptional circumstances". These are just such circumstances, the Army says.

Hundreds of artillery pieces and tanks have returned from Germany following the collapse of Communism. Salisbury Plain, its most important training area, is in danger of over-use and must be kept free for tank exercises.

Otterburn is the best training area for two powerful self-propelled weapons, the AS90 155mm gun and the 25-ton multiple-launch rocket system (MLRS), says the Army. Besides, it has already been firing large guns there for decades.

This is the only UK training area where the MLRS can safely

launch its salvo of 12 super-sonic rockets. Even the practice rocket requires a safety distance two miles wide stretching for 11 miles. Otterburn is covered in peat which would bog down heavy vehicles, hence the need for nearly 30 miles of roads.

Yesterday Lt-Col James Carter, in charge of pushing through the development, presented changes to the plan to the park committee including cutting back on gun firing positions, opening up four miles of new footpath, demolishing 40 redundant buildings and halting artillery fire in August, the peak holiday month.

It will take several months before the committee makes a decision. If it rejects the plan there will be a public inquiry, with the Government making a final decision. "That would delay things by two years, cost over £1m and keep a lot of lawyers in claret," said Lt-Col Carter.

Banks failing the 'friendly' test

Banks should take responsibility for their mistakes and stop blaming computer errors, a consumer watchdog said yesterday.

Too many banks have lost the personal touch - and too often they give rich customers preferential treatment, the National Consumer Council says.

NCC officials organised eight discussion groups in locations throughout England to find out people's views on the financial services they received.

They concluded there was a need for a new free financial advice service to help people avoid financial difficulties.

"Banks and insurance companies happily compete for new customers, but our survey shows that their enthusiasm wanes once consumers experience

money problems," said the NCC chairman, Lady Wilcox. "It is the same old story - they provide an umbrella when the sun shines but take it away at the first sign of rain."

The report says banks should make more use of their knowledge of customers' personal circumstances. People who go overdrawn a day before their pay goes into their account should not be sent a threatening letter - which they have to pay for. Computers should also be programmed to ignore one-off hiccups, said the NCC.

Insurance firms also come under fire. "Many respondents believed insurance companies to be 'untrustworthy' - slow to pay out but quick to make unreasonable increases in premiums," the report said.

DAILY POEM

Plate Glass

By Philip Gross

Your humble servant... Tough and thin
as the sac of an egg that feels the twitch
of beak and claws within.

I'm wall-wide tank of jewel fish
and pearly bubbles. I'm the yes
that money breathes soft as the swish

of limousine tyres in the rain.
Look, don't touch. Just your breath
on the glass leaves a butterfly stain.

Push and shove want to meet.
Take me! cry the goods. If I didn't keep control
they might spill out at anyone's feet.

Stress patterns too fine for the eye
to see spread like the whisper of conspiracy.
One day I'll let go, I'll let fly.

A dancer with knives, that's what I'll be.

Philip Gross was born in Delabole, Cornwall, "beside the slate mine", in 1952. His father was an Estonian refugee and his mother was the daughter of the village schoolmaster. He read English at Sussex University and spent the early part of his working life as a librarian before writing poetry and plays full-time for children and adults. His most recent collection of poems for children, *The All-Nite Café*, won the 1994 Signal Poetry Award. A new collection, *Straight City*, has just been published by Faber at £3.99.

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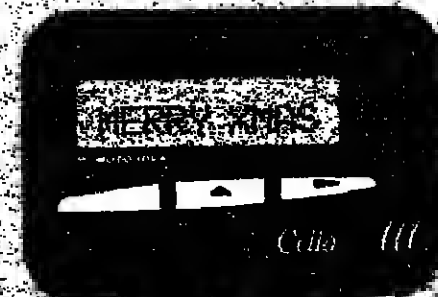
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Moonlighting MP' offered the sack Blair set to accept nursery vouchers

Several weaknesses in the new rules on MPs' expenses have been exposed by a flood of public reaction to the Private Member's Bill to put the clocks forward an hour and synchronise Britain with the rest of Europe.

Mail has been arriving "by the sack load" for John Butterfill, the Bournemouth, West, Tory who plans to introduce the measure, but he fears accepting

Miss Boothroyd. She explained that the potential conflict was certain to be considered by the Select Committee on Standards and Privileges and it would be wrong of her to pre-empt it.

But the committee has yet to be appointed. And even if it is to be before Christmas, it will be weeks before it decides whether Mr Butterfill can have more help with his post.

Helpful as ever, Dennis Skinner, Labour MP for Bolsover, said if the extra-duty MP could not find time to answer his letters, "he should give up all those moonlighting jobs that he's got". In the Register of Members' Interests, Mr Butterfill lists three paid directorships, five consultancies and fees for radio and TV appearances, journalism and lectures.

extra secretarial support could land him in breach of the Nolan rules.

Appealing to Speaker Betty Boothroyd for guidance, Mr Butterfill said it was beyond the normal resources of his office to deal with the flood. Even so, he had deduced the letters were five-to-one in his favour.

About 130 organisations, including Age Concern, the Police Federation and the CBI, support the Daylight Extra campaign for the change to Central European Time. They, apparently, would be happy to provide the MP with assistance, but there is a snag. "If I were to accept that assistance there is a possibility... that I could then be seen as advocating a cause and caught by the Nolan rules," Mr Butterfill said, meaning he could not speak for his own Bill.

Pointing up the current woefully state of the anti-sleaze arrangements, the MP said he had been to see Sir Gordon Downey, the new Parliamentary Commissioner on Standards in Public Life, but he had been unable to advise him. Nor could



Looking ahead: Children at Mary Seacote nursery, London Photograph: Edward Webb

JOHN RENTOUL and JUDITH JUDD

Tony Blair, the Labour leader, has decided to accept the Conservative scheme for nursery education vouchers if its nationwide launch goes ahead, and his education spokesman, David Blunkett, is considering a plan to trump it by offering higher value vouchers.

Such a move could provoke sharp divisions in the Labour Party, which has always condemned educational vouchers as extreme right-wing dogma.

Mr Blair and Mr Blunkett today launch a crusade to raise standards with plans to close bad schools if there are spare places in nearby schools. Otherwise, they should be reopened with a new head and governors. Teachers would have to reapply for their jobs. In *Excellence for Everyone*, the second education policy paper since Mr Blair became leader, Labour says it should be easier to sack headteachers, that heads should have a new professional qualification and a new grade of "super teacher" should be created.

Meanwhile, Labour is planning to pre-empt nursery vouchers. After a small pilot scheme next year, the Government intends to give all parents of four-year-olds vouchers worth £1,100 to buy part-time nursery school or playgroup places in February 1997, three months before the last date for the general election.

The Labour leader is understood to believe it would be unthinkable to go into the election promising to take the vouchers away. Sources say he is sympathetic to a plan at present being discussed by Mr Blunkett's team to give effect to the party's own aim to provide nursery education for all three-year-olds as well as four-year-olds.

This would stress Labour's claim that the Government's vouchers are inadequate to cover the cost even of many part-time places and offering higher value vouchers to pay for full-time places at age four and part-time places at age three.

Labour local councils have accepted that the party's pledge cannot be delivered quickly enough in the public sector

alone. The Labour-controlled Association of Metropolitan Authorities yesterday set out a plan that would use private and voluntary sectors to top up public provision, but it remains opposed to vouchers, which would subsidise children at private nursery schools and take resources away from councils with good nursery provision.

A spokeswoman for Mr Blair said yesterday: "The suggestion we might be backing the government scheme is frankly absurd. The Government cannot even get Tory councils to back the planned pilot scheme."

The document published today contains other evidence of convergence between Labour and Tory policy, as it backs several policies recently adopted by the Government, such as testing for five-year-olds and the requirement for inspectors to report bad teachers to heads. However, Labour says inspection teams should include local council inspectors.

The paper also says primary schoolchildren should learn foreign languages. Leading article, page 18

Tories breaking NHS pledge, Lib Dems say

Kenneth Clarke's Budget broke the Tories' manifesto pledge to increase real resources for the health service, Simon Hughes, the Liberal Democrat health spokesman, said yesterday, writes John Rentoul.

Mr Clarke last week announced a 0.6 per cent rise in NHS funding for next year, taking inflation into account, in line with the 1992 Tory manifesto promise: "We will, year by year, increase the level of real resources to the NHS."

But the Government's own figures show that inflation in the health sector is higher than the economy as a whole and the Liberal Democrats calculate that the NHS in fact faces a 0.4 per cent cut in real resources.

Mr Hughes said: "It is now clear that the effect of the Chancellor's Budget and public spending statement on the NHS will be that, far from guaranteeing a secure future, the NHS is about to be squeezed."

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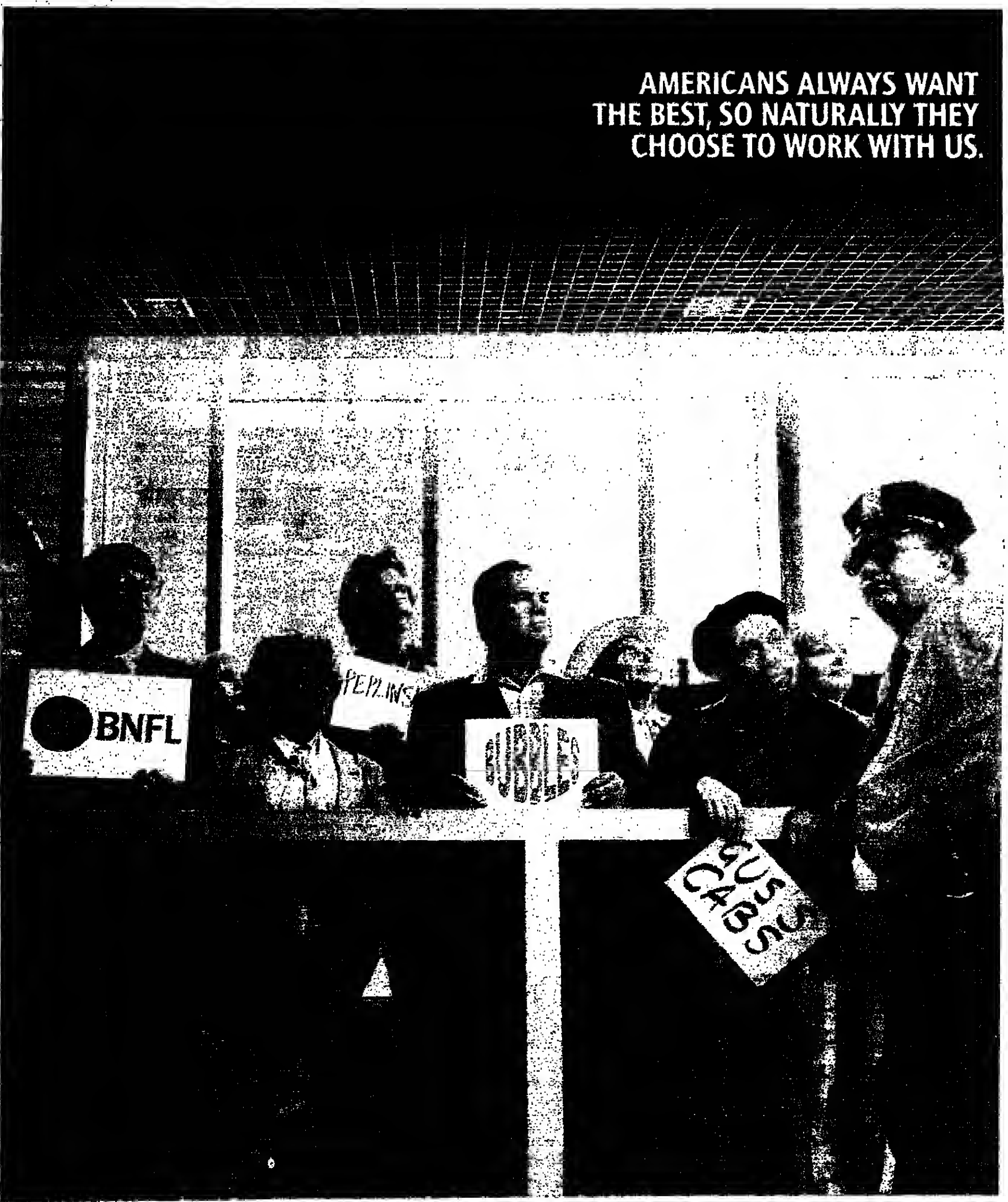
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FRANCE IN REVENGE

Tension hangs like car fumes

IMRE KARACS
Paris

For Antoine and Jean, Christmas has come early this year. "Normally, I am only allowed to wear them in the park," said Antoine, as he sat on a bench putting on his shiny roller-skates. The two 11-year-olds were going home from school, and had received parental dispensation to use their favourite mode of transport, just for this week.

As they whizzed down the Champs-Élysées, zigzagging among Parisians trekking home from work, the motorists fuming in the traffic jam looked on in envy. With public transport paralysed and the roads clogged with cars crawling in first gear, roller-skates, old-fashioned scooters and bicycles have become the fastest means of getting about town.

Those who have failed to

invest in two-wheelers stand by the road, in a vain attempt to thumb a lift from the cars slowly heading for the suburbs. What public transport there is can be found at 12 big intersections. Along one of the avenues projecting out of the Ettoile, two articulated buses stood yesterday with doors open, bracing themselves for the afternoon rush. "We have been requisitioned by the government," explained the driver of the first bus.

He was 43 years old and would not give his name, or offer an opinion on the strikes, in the presence of his boss.

"We are a private company, the strikes have nothing to do with us," he said, though admitting he was "a little nervous" about today's protests. The buses and the *bateaux-mouches*—pleasure boats on the Seine—were commandeered by Alain Juppé's government to

relieve today's siege of the capital, when huge marches are expected in Paris and other cities. Demonstrators may well be inclined to vent their fury on the blackleg drivers.

In anticipation of trouble, the authorities have dispatched all available policemen to city centres. A week ago, visitors arriving from abroad would have been detained at the frontier by special forces equipped with sub-machine guns, a token response to the growing terrorist threat. Now the borders are unmanned, the sentinels have been posted to the cities to deal with the enemy within. There they stand, the grim-faced men of the CRS, directing traffic in Paris.

The air of expectation hangs as heavily as the pall of exhaust fumes on a city entering what everybody believes is the crucial phase of confrontation between the people and the govern-



Private enterprise: A Parisian steers his bicycle through gridlocked traffic at Porte Maillot yesterday

Photograph: Rémy de la Maurière

ment. Some may disagree with the methods of opposition, but few have anything good to say about Mr Juppé's administration.

"Juppé's policies are unfair," said Dominique Goasguen, an

accountant who spent four hours yesterday morning getting to work from Saint-Germain-en-Laye—a suburb 20 minutes from the centre of Paris when the express rail network is running. She was hurrying towards

one of the buses, and not expecting to get home much before 10pm. "The government has done this to us; how are we supposed to work?" she asked. But, unsurprisingly, she had some harsh words to say about

the strikers, too. "Why should I suffer—we're all in the same boat."

The exasperation with the strikes and anger with the perceived cause—the government—is a dangerous cocktail that the

authorities fear could explode into violence. Until now, Parisians caught in the middle have resorted to making a deafening noise with their car horns. Today their anger could prove more destructive.

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Without Repayment Protection	£35.32	£53.29	£71.05	£104.02	£138.70	£173.37	£208.05	£242.73	£277.40	£312.08	£346.75
With Repayment Protection	N/A	N/A	£71.40	£103.03	£137.38	£171.72	£206.07	£240.41	£274.76	£309.10	£343.45
Without Repayment Protection	N/A	N/A	£57.45	£83.52	£111.86	£138.20	£167.04	£194.89	£222.73	£250.57	£278.41
With Repayment Protection	N/A	N/A	£54.55	£82.19	£112.92	£153.65	£184.38	£215.11	£245.84	£276.57	£307.30
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Tel. No. (incl. code): _____

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Postcode: _____

Is your current home: Owned ☐ Rented ☐

With Parents ☐ Forged ☐

Your Date of Birth: _____

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Widowed ☐ Divorced ☐

Spouse/Partner: Initials _____ Mr/Ms/Miss/Ms

Surname: _____

Date of Birth: _____ No. of Dependents ☐

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Your occupation: _____

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Type of Business: _____

Address _____

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Please give previous employer's name: _____

Occupation: _____

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Tel. No. _____

Time employed/self employed: _____ yrs _____ mths

YOUR BANK DETAILS

Bank/Building Soc. Name: _____

Branch: _____

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Account Number: _____

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Others (please state): _____

YOUR INCOME & OUTGOINGS

INCOME: Your basic monthly income after tax: £ _____

Spouse/Partner's monthly income after tax: £ _____

Other income: £ _____

Total monthly income: £ _____

OUTGOINGS: Mortgage/Rent: £ _____

Total monthly mortgage/rent: £ _____

Other monthly outgoings: £ _____

Total monthly outgoings: £ _____

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(Please give details of any outstanding loans that you would like to settle)

Name of Company: _____ Approx. balance: £ _____

REPAYMENT PROTECTION PLAN (Tick one box only)

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Amount of Loan required £ _____

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How the strikes are biting

France has now entered its second full week of strikes. Hospitals, schools, teachers, bank employees and many others are among those likely to join the strike today. Many schools announced they would close in anticipation of the teachers' strike, causing additional problems for working parents already struggling with the effects of the transport strikes. There are also growing fears that the strikes could spread to the private sector.

AIR LINES
The Air France strike has caused a major disruption to the airline's services. The airline has announced that it will be operating a reduced number of flights, and that it will be unable to accept any new bookings for the next few days. The airline has also announced that it will be unable to accept any new bookings for the next few days.

RAILWAYS
The SNCF strike has caused a major disruption to the railway's services. The railway has announced that it will be operating a reduced number of trains, and that it will be unable to accept any new bookings for the next few days. The railway has also announced that it will be unable to accept any new bookings for the next few days.

ROADS
The CGT union urged Paris drivers to strike today. The CGT union urged Paris drivers to strike today. The CGT union urged Paris drivers to strike today. The CGT union urged Paris drivers to strike today. The CGT union urged Paris drivers to strike today.

POST AND TELECOMMUNICATIONS
Strike 100 mail sorting centres (out of 150) and 61 post offices closed or disrupted. Telegram office on strike.

ENERGY
Seven out of 21 nuclear power plants on strike, forcing Electricity de France to import supply. An EDF spokesman said power was down by a third but no cuts expected.

GOVERNMENT OFFICES
Unions called strikes at the inland revenue, the finance ministry, the treasury and customs. Schoolteachers, hospital workers and museum staff have also been called out on strike.

BANKING
Bank of France leaders called a strike for Thursday and Friday. Private banking sector had been due to vote yesterday on whether to join the strike.

FRANCE IN REVOLT

Welfare battle lines raise the spectre of '68

Day of action could decide future of nation, and threatens to torpedo plans for single EU currency

MARY DEJEVSKY
Paris

On the streets they are talking of the revolt of 1968, the more excitable commentators are talking of the revolution of 1789 and everyone is fearful. "The week of all the peals", shouted the front page of the Paris local paper. On street corners yesterday there were knots of people, complete strangers, drawn together spontaneously - in a country whose people are not known for their sociability - by concern about the dangers of the next few days.

The depth of popular uncertainty seems hardly compatible with the sophisticated, industrially developed country that is France. But as trade union leaders prepared for today's mass protest - the fourth day of action since the first big demonstration on 10 October - there was a sense that everything was running out of control and that the country's future was at stake.

At the most basic level, a set of proposals to bring the welfare state as publicly as possible into the 21st century has escalated into an "us-against-them" struggle of historic proportions. Who wins will determine the course of France, even the course of Europe, in the years to come. The turnout and the conduct of today's demonstration will be one decisive factor. The other, equally unpredictable, is the response of the government and the political establishment.

The past week has provided an object lesson in how quickly civil protest can escalate and order can deteriorate. The powerful organisation of French trade unions is one reason and their strength in the public sector is another. With seven major unions criss-crossing the public sector, action by only one or two unions can bring whole

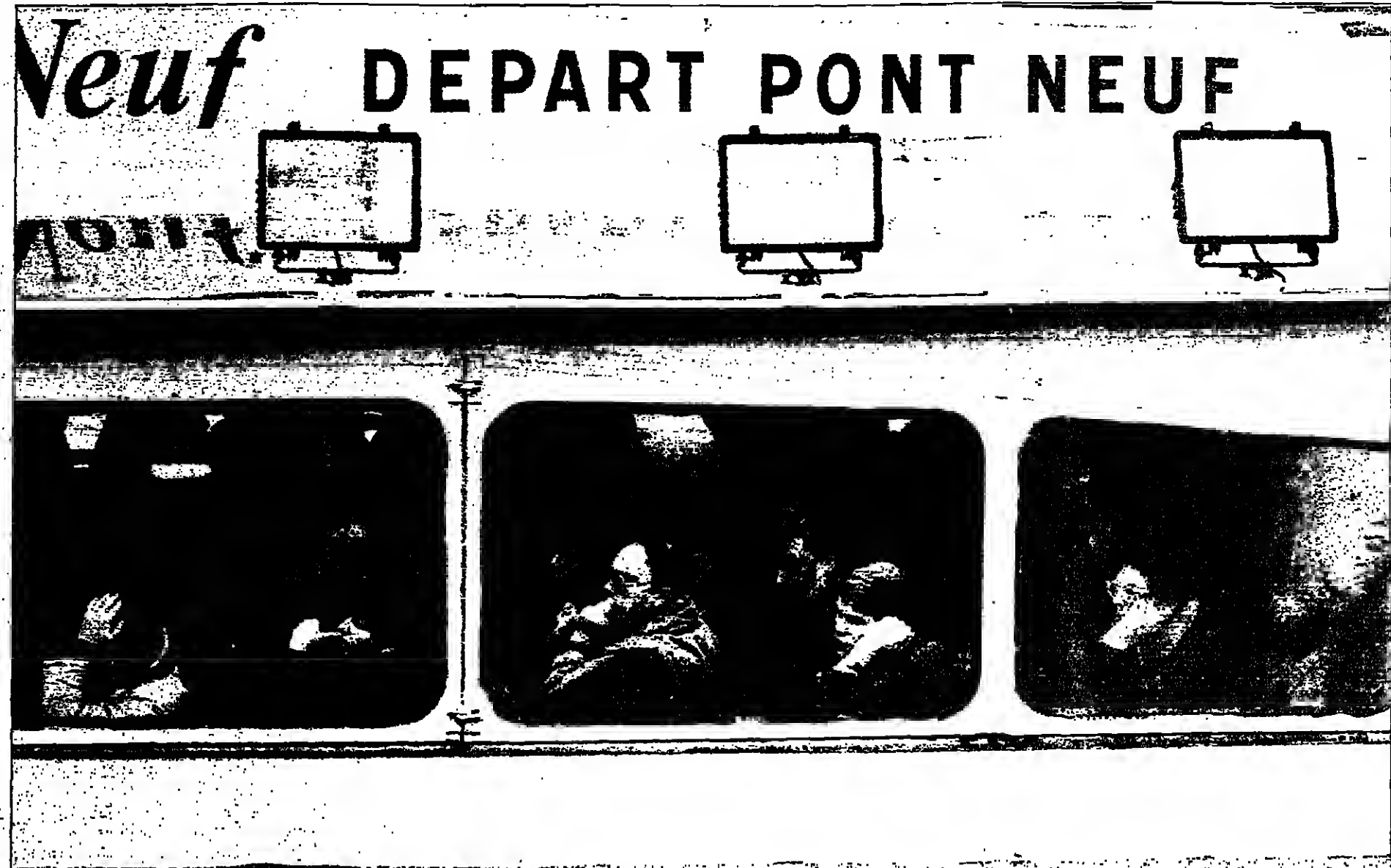
sectors to a halt and spread rapidly to the next.

Another explanation for this abrupt escalation is what might be called the "flexible" public attitude to law and order. In the simple matter of traffic control, while epic jams block roads from dawn to well after dark and most parking controls have been lifted, police complain not just of irresponsible parking, but of increased flooding of red lights and one-way systems. You can even see cars being driven on the pavement.

Early last week, with only public transport on strike, the government's determination to stand firm looked like a plausible policy. From last Friday, with strikes escalating all the time, the government's silence was universally seen as a sign of weakness. An expected rallying call from the Prime Minister, Alain Juppé, an attempt to explain his social security reforms to the public never came. President Jacques Chirac went off to west Africa on Friday without saying anything.

Finally, on Sunday night, with Mr Juppé conferring with ministers but still incommunicado, Mr Chirac broke his silence. In an address to the French community in Benin, but clearly intended for the audience in France, he said there was a clear choice between resigned acceptance of the mounting deficit and social division on the one hand and a courageous attack on social ills on the other. "It is this course I have chosen," he said, "the way of long-postponed reforms. I am convinced that this is the right way."

Mr Chirac's words conveyed a double message: that he was intent on persevering with the reforms and that he stood by Mr Juppé. This statement, however, could harm Mr Chirac more than it benefits Mr Juppé. As the strike movement has esca-



Uncertain voyagers: Commuters on a commissioned tourist boat yesterday

lated, a single demand has crystallised - for the withdrawal of the "Juppé plan". This has been accompanied by strong hostility towards Mr Juppé, which owes much to the episode with his subsidised flat.

As the pressure built up, the consensus that Mr Juppé had carefully built to support the reforms was starting to unravel.

More seriously for Mr Juppé, the cracks seem most threatening inside the Gaullist-led coalition. The leader of the biggest union (who was pilloried by her colleagues for admitting that the reforms had some good points) and the Socialist and Communist leaders, have still declined to offer full-blooded support for the protest.

In recent days, several individuals on the right with power-bases of their own and possible prime ministerial ambitions have come out of the woodwork. One of the first was the sacked economy minister, Alain Madelin, who spoke of the protest as a movement of the people against a self-perpetuating élite, and called for parliamentary elections. Another was former prime minister Edouard Balladur, who called against the emotive backdrop of De Gaulle's shrine at Colombey-les-Deux-Églises - for "dialogue" between the government and the unions. A third was Philippe Séguin, chairman of the National Assembly, who went to talk to

striking railwaymen in the eastern town of Epinal where he is mayor and promised to represent their cause "direct to Mr Chirac" - i.e. bypassing Mr Juppé. All three - Madelin, Balladur and Séguin - ensured that microphones and television cameras were on call.

With the political consensus on the right appearing to dissolve, and international markets forcing down the franc, Mr Chirac could be forced to act. But his room for manoeuvre is not great. He probably has only three choices.

The first would be to "go to the country" in the form of a referendum or parliamentary elections. In the first case, Mr Chirac would risk losing and

could suffer a severe loss of authority. In the second, the right could lose its huge majority in parliament and the number of extreme right National Front MPs could increase dramatically. Seven by-elections this past weekend, in which centre-right did very badly, offered a foretaste of the risks.

The second option would be to withdraw the Juppé plan, which would undoubtedly mean the resignation of Mr Juppé. There must be a question, however, whether it would now be possible to introduce the necessary reforms to the welfare system even by stealth. Any retreat could mean the devaluation of the franc, the end of French ambitions to join EMU,

probably the end of the whole EMU project - and possible new unrest the next time reforms were broached.

The third option would be for Mr Chirac to stand firm with Mr Juppé, increase the provision of emergency transport and services and tough it out. This would risk violence and a possible collapse of law and order. If successful, it would mean that all the dragons of opposition to reform had been slain at once and mean plain-sailing for further reforms, including the much needed fiscal reform, in future. But as of yesterday evening, with the Paris traffic static in the gathering gloom, the possibility of a Chirac-Juppé triumph looked remote.

Social insecurity fuels protest

MARY DEJEVSKY

The origin of the tidal wave of strikes in France was the proposal, set out by the prime minister, Alain Juppé, for the reform of the health and social security system.

The changes were dictated by the fast-growing indebtedness of the social security system (which also covers health care) and France's need to cut public borrowing to meet the Maastricht conditions for joining the single European currency in 1999.

The Juppé plan included:

■ An additional tax of 0.5 per cent of taxable income to pay off the accumulated debt of

the social security system;

■ The subordination of the system to parliamentary scrutiny and its incorporation into the national budget;

■ The taxation of family allowances, and other benefits hitherto untaxed;

■ The postponement of a new allowance for the elderly;

■ Limits on the number of doctors a patient can consult for a particular ailment; and the eventual introduction of a computerised ID card for users of the health service and benefit claimants;

■ Voluntary limits on doctors prescribing, to become statutory if costs are not cut;

■ And, perhaps the most in-

flammatory measure, the formation of a special commission to consider the pension arrangements of all public sector employees, with a view to ending the perceived advantages enjoyed by public sector employees.

However, radical the proposals were in French terms, they did not provoke an immediate general strike, or even serious misgivings, at least in official circles. Mr Juppé had been careful to square potential opponents within the ruling Gaullist coalition, the Socialist opposition, and even major union leaders.

Unfortunately, he appears not to have reckoned with public

opinion, or to have realised the extent to which the single issue of the welfare state reform would become tied up with the sectional concerns of individual groups of workers.

Now, it seems that every group of public sector workers has interpreted the social security reforms as an attack on their own separate terms and conditions, and their own security. For instance, the railwaymen - object to a restructuring plan which could lead to the regionalisation and likely closure of up to 6,000km of branch lines. Electricity, gas, and postal workers are worried about the impact of deregulation ordained from Brussels.

Market fears hit franc and shares

PAUL WALLACE
Economics Editor

The franc plunged to a five-week low against the German mark yesterday and shares fell sharply as markets took fright at the social unrest in France.

So far, the French central bank has been able to avert a rise in interest rates to defend the franc. But a further slide in the franc against the mark could put the Banque de France under pressure to reverse the recent easing in interest rates. A tightening of monetary policy would intensify the recessionary forces currently gripping the French economy.

"The markets have become concerned that the dispute could put in jeopardy the plan to cut the deficit," said Avinash Persaud, currency strategist with JP Morgan.

"It is very difficult for the government to compromise without facing censure from the markets," said Stuart Thompson, international economist with Nikko Europe.

The franc fell by two and a half centimes against the mark, compared with its value at the end of last week. It closed the day at 3.4811.

French shares had a torrid day, with the CAC Index of leading stocks losing 2.5 per cent of its value. The CAC-40 index closed down 46.05, at 1,774.86.

The Bourse was also depressed by concerns that the strikes could tip the economy into recession. Takings from department stores in Paris are running at derisory levels compared with the usual pre-Christmas rush.

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Assassin 'was armed by élite soldier'

Rabin killing: Fresh evidence has cast new light on focus of inquiry

PATRICK COCKBURN
Jerusalem

Eric Schwartz, an Israeli army sergeant in an élite unit, was charged yesterday with supplying military weapons and explosives to the assassin of Yitzhak Rabin.

Sgt Schwartz, the first suspect to be formally indicted, is accused of stealing arms and equipment from the Golan Brigade and handing it over to Yigal Amir, who shot dead Rabin on 4 November. Sgt Schwartz is alleged to have known that the weapons were to be used to attack Arabs.

As well as handing over arms to Yigal and his brother Hagai Amir, Sgt Schwartz is also accused of burying a cache of stolen army property, including weapons, in the backyard of his home. After Rabin was killed he dug them up and hid them in the house and car of another army sergeant.

During a search of Amir's house after the assassination, police found slabs of military explosives which Yigal Amir's mother said she thought were bars of soap. Other arms were buried at the back of the home under a yard used as a kindergarten.

Yigal Amir and another man, Dror Adam, who is considered by police to be central to the conspiracy, were also members of the Golan brigade. Hitherto, investigations into the background of the killing have focused on a militant right-

wing student group at Bar-Ilan university and not on army service.

As he entered a military court in Haifa where he was indicted, Sgt Schwartz covered his head with his khaki military jacket so completely that he had to be guided to his seat. He said: "It is not right what is happening here." His father Naftali, a dentist from the religious suburb of Bnei Brak, said his son was innocent and that the charges against him were "heartbreaking."

The Israeli government has recently been backing away from the idea of a conspiracy behind Mr Rabin's death and four out of eight of those originally detained have been freed, though some may be charged later.

The change of tack came when Avishai Rabin, head of the extremist Eyal organisation, with which Yigal Amir was associated, was accused of being an agent of the Shin Bet domestic security police.

This enabled the right wing, which has been on the defensive since the assassination, to counter-attack the government, claiming that it was the Shin Bet agents provocateurs, and not the right, which set the stage for the killing of the prime minister. Moshe Shahal, the police minister, who had promoted the idea of a conspiracy, immediately began to back-pedal.

Nevertheless, the known facts about Yigal Amir and his group suggest that there was a



Crowds celebrate as a group of Palestinian police arrives to take over from Israelis in the West Bank town of Beit Jala

Photograph: Khaled Zighan

conspiracy to resist the implementation of the Oslo accords by armed force. This involved the theft and storage of arms. Most of the conspirators belonged to an extreme right wing group at Bar-Ilan univer-

sity. Their central plan was evidently to attack Palestinians, emulating Baruch Goldstein who shot dead 29 worshippers in a mosque in Hebron last year. But the fact that Yigal Amir

prime minister was well enough known for the Shin Bet to be tipped off in June by a member of the Bar-Ilan group. It failed to act.

Israeli Prime Minister Shimon Peres will visit Cairo on Thursday for talks with Egypt's president, Hosni Mubarak - their first meeting since the funeral last month of Yitzhak Rabin.

Mr Peres will stay in Cairo for just a few hours for talks expected to focus on the Arab-Israeli peace process. Foreign Minister Amr Moussa said yesterday, Egypt has tried to act as a mediator between Israel and both the Palestinians and Syria.

IN BRIEF

King Fahd 'stroke'

London - A team of American doctors has been flown to treat King Fahd of Saudi Arabia and diplomats in the Gulf believe he may have suffered a mild stroke last week, writes Michael Sheridan. Oil prices have risen slightly on international markets on speculation that the 73-year-old King's death could set off a period of uncertainty over the succession and signal a shift in oil pricing policy, but an official medical bulletin said the results of "clinical, analytical and radiation tests" had yielded "reassuring" results.

Tipped for the top

Stockholm - Sweden's Finance Minister, Goran Persson, has agreed to be nominated as candidate for the Social Democratic party leadership and is thus likely to become the country's next prime minister, Swedish television news reported. *Reuters*

Hostages freed

Paris - French police overpowered a gunman who took a class of 30 children and their teacher hostage at a primary school in the Paris suburb of Cliehy. A squad of police commandos overpowered the man, who was apparently deranged, after two hours. *Reuters*

Estonia looks west

Brussels - Estonia became the sixth East European nation to apply for European Union membership since the collapse of the Soviet bloc. *AP*

Blow for UN body

Vienna - The UN said at the UN Industrial Development Organisation's annual conference that it was leaving the body. The US has long complained about too much bureaucracy and lack of efficiency in Unido, which funds and oversees industrial development in Third World countries. *AP*

Vietnam date

Cotonou - Vietnam was chosen to stage the French-speaking world's next summit in 1997, four decades after France pulled out of Indochina following military defeat there, as the fifth summit of La Francophonie, the club of France and its fellow French-speakers, ended in Benin. *Reuters*

Gifted Mandela

Pretoria - Greenland awarded South Africa's President Nelson Mandela the title of International Santa Claus of the Year and \$66,000 for his work on behalf of children. *Reuters*

US Marine 'pressured' to confess to Okinawa rape

RICHARD LLOYD PARRY
Tokyo

It was another grim day for the American military in Japan. Four of its servicemen faced serious charges in two separate trials on the island of Okinawa yesterday. One of them, a Marine private, accused the US military police of coercing him into confessing to the rape of a 12-year-old girl.

Private Rodrigo Harp, together with another Marine and a naval seaman, is charged

with abducting and raping the schoolgirl in early September. The crime provoked an uproar throughout Japan against American bases in Okinawa, forced a televised apology from President Bill Clinton, and seriously undermined the US-Japan security relationship.

At the first hearing last month, Seaman Marcus Gill pleaded guilty to all charges, while Pte Harp and the other Marine admitted helping to carry out the crime, but retracted earlier confessions of the

actual rape. Yesterday in the District Court of Naha, the Okinawan capital, Pte Harp insisted that he was manipulated into saying "what the Japanese would like to hear" by US naval police.

He said they fabricated a report for prosecutors. "When I told them what did happen, they pressured me to go in another direction," he told the three judges through an interpreter.

Earlier in the day, prosecutors in the same court called for a 13-year prison sentence for

another Marine who has admitted beating to death a 20-year-old woman with a hammer last May.

Japan has no jury system, and hearings, scheduled at the convenience of lawyers and judges, are held only one day at a time at intervals of about a month. Both cases are likely to extend into next year, prolonging the embarrassment of the US government, which is under intense pressure to reduce the 29,000 troops on Okinawa.

Pte Harp's wife, who flew

over for yesterday's hearing, became the latest in a list of Americans - including Walter Mondale, ambassador to Tokyo, William Perry, the Defense Secretary, and President Clinton - to deliver an emotional apology for her husband's crime. "I am very sorry for the behaviour of my husband to the Japanese people, her mother and father, and to the people of Japan and the US."

The statement marked a change in strategy by the defence. After the first hearing last

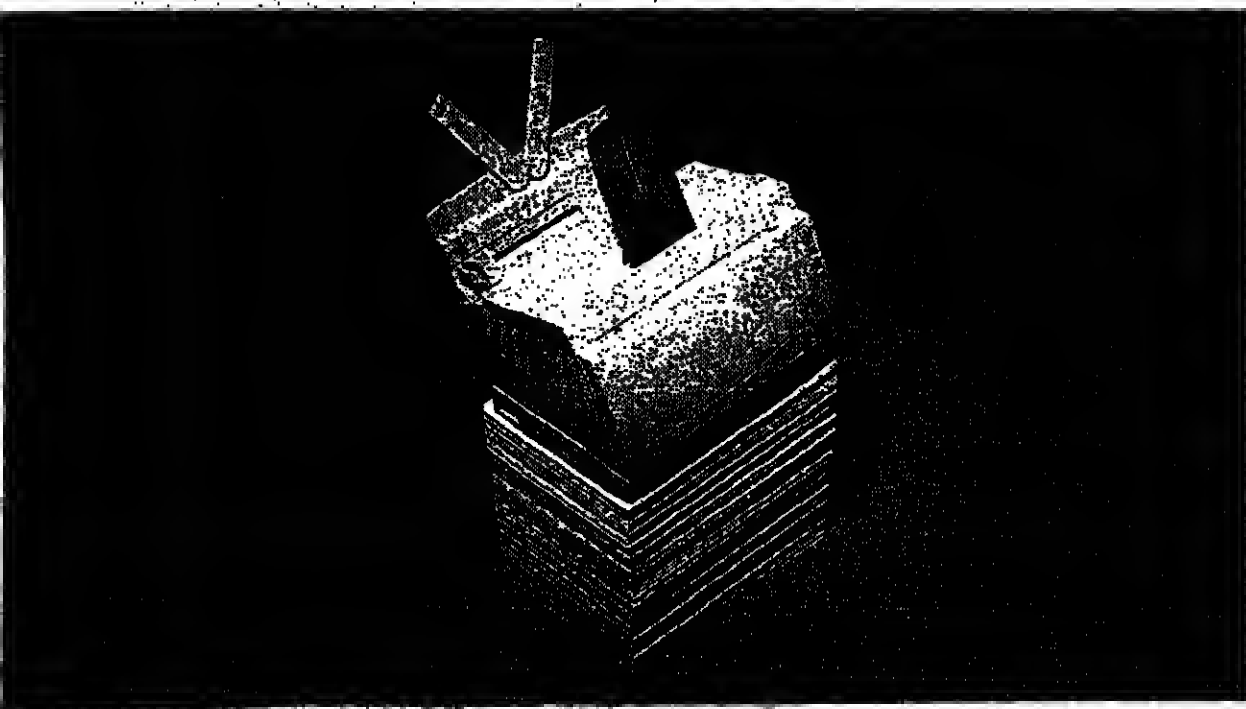
month, the families of the three men, all of whom are black, claimed that they were victims of Japanese racism. Such protestations go down badly with Japanese judges, whose sentencing is heavily influenced by guilty pleas and expressions of contrition.

Defence tactics have changed accordingly; yesterday, lawyers for the families of the accused men told reporters that they intended to pay 1.5m yen (£9,375) "apology money" to the victim and her parents. "The amount

is fairly high for the kind of compensation customary in a case like this," said Seaman Gill's lawyer, Yutaka Arakawa. "But we believe it could have a beneficial effect on the trial."

But the outcome is in little doubt. "You've got a 99.5 per cent conviction rate and a 99.8 per cent conviction rate over here," said Eric Ross, an American lawyer accompanying the families. "Look at the odds. With that kind of percentile, all you can do is mitigate the damage."

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IND 512

SAVE

Bosnia peace force: Severe weather conditions and poor roads pose biggest obstacles to the deployment of GIs in north-east

General Winter harries US vanguard

MMA DALY
Tuzla

The first group of US soldiers dispatched to keep the peace in Bosnia were due to arrive in Tuzla last night, where the American force is to have its headquarters. Eight or nine liaison officers, accompanied by small reconnaissance parties, were expected to reach the town by road, as the huge air base is almost permanently fog-bound in winter.

"They are due to arrive today and they are, I think, on their way by road," said Captain Yahya Siddiqui, a UN spokesman in Tuzla, said yesterday. He had no details about the teams' plans, but they are likely to start setting up communications for the Tuzla headquarters and scouting around for suitable bases in the area.

Meanwhile, the first Nato troops flew to Croatia and Sarajevo from a British air force base at Bruggen in northern Germany. The 56 members of the British 7th Signals Regiment who left on the first C-130 transporter were assigned to support Nato's Allied Command Europe Rapid Reaction Corps (ARRC). Three more aircraft from RAF Lyneham stopped in Bruggen to pick up more equipment, soldiers and ARRC officers based in Germany and destined for Split and Sarajevo. The ARRC has prime responsibility for running a 60,000-strong ground force implementing the Dayton accord.

It seems that several plane-loads more of Americans attached to the Nato Implementation Force (I-FOR) will finally reach Tuzla tomorrow, weather permitting. Winter will be the first obstacle to



Advance force: British and American troops disembarking at Sarajevo on a mission to set up a communications system for use by Nato

Photograph: Rikard Larma/AP

the US deployment. Apart from a semi-permanent fog, snow threatens to fall. Roads in the area are small and badly maintained, despite the efforts of the UN forces around Tuzla, and a heavy snowfall will slow traffic even more.

Under the peace plan, the Nato division in charge of north-eastern Bosnia will include 20,000 US troops, a Nordic brigade of Swedes,

Danes and Finns, a Russian brigade and a Turkish element. Lieutenant-Colonel Sverker Goranson, chief of staff for the UN Nordic battalion, based in Tuzla, will switch his blue beret for military green once Nato takes control in mid-December.

He does not foresee military trouble for the Americans, as the front lines are relatively stable, and very little land will change hands under the peace

deal. But he is concerned about the logistics of the operation: "They will face the same problems as we do: the number of miles along the confrontation line, which will take a long time to clear. If we get a tough winter, if there is snow...."

"If you look at the terrain, there are very few roads of a high standard. One runs north to south, another east to west, and all the rest are gravel."

The troops' first task, following the construction of camps near Tuzla and closer to the front line, will be to create a 4km "zone of separation" between the warring forces within 30 days. That will involve overseeing the withdrawal of all soldiers and weapons from the line and clearing mines. Then the soldiers will build fixed observation posts along the line and open crossings.

Colonel Goranson is confident I-FOR will meet its deadline, if the weather holds. Ominous snowflakes whirled down yesterday, coating the hills, but petered out into drizzle in the afternoon. He is also relatively optimistic about the Dayton deal: "Everyone in uniform [in Bosnia] is sick and tired of the war. They want something else, but they are taking very small steps because they don't really

trust the enemy. I can't blame them. I understand, they have had up to 36 ceasefires before."

He had a word of warning for the newcomers, used as they are to exerting total control over their environment: "If you have a problem, the first step is to negotiate. You don't resolve everything by slapping someone else's face.... as long as they recognise that there will be no problems."

American incursion finds Hungary open for business

ADRIAN BRIDGE
Taszar

"Hooohhhhh!" proclaims the welcome message pinned to the notice board at the entrance to the Taszar suburb in southern Hungary. The Americans are coming. In the next few months, thousands of US troops are expected to flood through Taszar on the way to Bosnia as part of the planned 60,000-strong Nato peace force.

The deployment in Hungary will be the first of such a Nato force in a former Warsaw Pact country. US forces will also be using a military base in the nearby town of Kaposvar. Under the peace accord the Nato deployment should last for a year, but many predict it could be longer.

The 2,000 people of the village of Taszar see the arrival of the Americans as a mixed blessing.

"Traders are ticking their lips. This should give a much-needed boost to the local economy," said Zoltan Papenzi, a shopkeeper who is already stocking up with Marlboros and Jim Beam whisky.

"But some mothers are already looking up their daughters. 'I and other teenagers are looking forward to it,' said Tibor Molnar. "But our parents are worried. They think that the arrival of the GIs will spell the arrival of cocaine, AIDS, street brawls and Russian prostitutes. There is a lot of fear, especially among women and mothers."

The last time Hungary played host to foreign troops on what was always called a "temporary" basis, they stayed more than 40 years. Several Soviet bases near Taszar were closed only in 1991.

The Hungarian government, however, has embraced the

American involvement, seeing it as a stepping-stone towards membership of Nato. A parliamentary vote last month on whether to allow the deployment was passed by 312 to 1.

"We are very pleased to offer our facilities to the US forces and obviously hope that it will serve our cause," said Gabor Szentivanyi, a foreign ministry spokesman. "Of course we have already staged Nato exercises here under the Partnership for Peace programme, but they were only exercises. This time it will be for real."

The camps at Taszar and Kaposvar will be staging posts for some 20,000 US troops expected to be sent from Germany to Bosnia. Some 2,500 logistics and communications specialists will be based there.

An advance party of 25 logistics specialists has started

preparing the ground for the expected onslaught. "It's cool," said Captain Steve Shapiro, asked how it felt to be operating from a former Warsaw Pact country. His colleague at the Taszar base, Lieutenant-Colonel Michael Anderson, said: "We have been very well looked after by our Hungarian hosts. The Hungarian military is every bit as professional as any I have ever dealt with in Nato. To tell you the truth, when I first got here I did not even notice the difference."

Berne — Switzerland agreed yesterday to grant passage to Nato troops and materiel bound for Bosnia, the first time the neutral republic has allowed alliance forces through its territory. The cabinet said it would permit supply flights and land transports on a case-by-case basis.

SARAH HELM
Brussels

European foreign ministers yesterday delayed a money-raising conference for Bosnian reconstruction, amid growing confusion about how to implement the political and civilian side of the Dayton peace deal.

The European Commission had proposed to host a pledging conference in Brussels on 20 December. The conference was to have followed the London conference this weekend when further peace implementation planning is to take place. A ceremony to sign the Dayton deal is scheduled for Paris next week.

However, in the first sign of a slow-down in momentum since the Dayton agreement was signed, EU foreign ministers said it was "too early" for a money-raising meeting.

Reconstruction and aid needs have not yet been properly identified, and there is no certainty the warring sides in Bosnia will agree to the detailed terms set out in the Dayton deal. Malcolm Rifkind, the Foreign Secretary, said in Brussels yesterday that if such a meeting were held before Christmas it would be a matter of "plucking figures out of the air."

It was crucial that the Bosnian parties were fully aware there would be no reconstruction effort unless the Dayton terms were fully adhered to, he said. "We must not send signals which confuse, but rather, which illuminate."

Discussions have already started over how the cost of the operation should be shared. The assumption is that the US would pay for one-third with the EU paying another third, and

the rest being shared by other states. However, estimates of reconstruction costs range from \$3bn (£2bn) to \$6bn, Mr Rifkind said yesterday, and far planning was still needed. He hoped the pledging conference could be held in the New Year.

Britain hopes the London conference this weekend will put in place building blocks for the civilian peace-making effort, beginning with the appointment of a civilian overlord. The official is expected to be Carl Bildt, the EU representative to former Yugoslavia.

Whoever takes on this task will face an enormous challenge, as some requirements of the Dayton accord, such as "return of refugees", are unlikely to be achieved. The holding of elections within nine months of the agreement's implementation also appears ambitious.

EU delays meeting on reconstruction



CHILDREN OF WAR APPEAL

£40,000 so far raised for victims of conflict

As Christmas approaches, the 'Independent' is asking readers to support four charities working to help child victims of the wars in former Yugoslavia. So far, the appeal has brought in £40,000 for the four charities:

Save the Children is focusing on children who have been separated from their families, counselling and reuniting them.

The Red Cross is running the largest humanitarian operation in the region, looking after refugee camps and linking people through its messaging network.

War Child plans to build a £2.5m music-therapy centre in Mostar, and to send urgently needed prosthetics to wounded children in the Tuzla area.

Child Advocacy International aims to bring up to 100 sick children to Britain for treatment they could not obtain at home.

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6. Muddy Waters - "Baby Please Don't Go"
7. John Lee Hooker - "I'm In The Mood"
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10. Canned Heat - "Spoonful"

CHRISTMAS CDs

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INDEPENDENT

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obituaries / gazette

Professor Robertson Davies

It is a rare – and intensely exciting – experience to pick up a book of which one has no particular expectations and to find, within a dozen pages, that one has stumbled not only on a born writer but, quite possibly, on a great one; and no novelist in the past 30 years can, I suspect, have made just such an impact on more British readers than did Robertson Davies.

Why even now this literary phenomenon should remain so relatively little known to the world at large constitutes, to all those readers, an impenetrable mystery; eminently worthy of the Nobel Prize for Literature, only once was he ever short-listed for the Booker. His Canadian background obviously had something to do with it; it is impossible to believe that, had he lived and worked in England, his genius would not have been more widely recognised.

But that was not the whole story. There was also the fact that his books were unlike other people's. They were long, they often deliberately rambled, they touched on magic, food, semantics, poetry, the supernatural, holistic medicine, Jungian analysis, murder, art forgery, the theatre, the interpretation of dreams and anything else that happened to strike the author's astonishing imagination while he was writing. His novels, in the extravagance of their plots, the onlandishness of many of their characters, the luxury of their language, were baroque through and through; and, unhappily, in the late 20th century, the baroque is no longer fashionable.

Born in 1913 in Thamesville, Ontario, Davies was educated at Queen's University, Toronto, and at Balliol College, Oxford,

after which he taught and acted in London at the Old Vic; it was there that he met his wife, the Australian actress and stage manager of the company Brenda Matthews. The theatre was in the blood of both of them, and on their regular visits to England there were few nights – apart from the occasional evening at dinner with close friends – when they were able to keep away from it. "Rob" Davies's unmistakable figure – as he grew older he looked more and more like some mischievous Old Testament patriarch, with his snow-white beard and brilliant, twinkling eyes – was almost as familiar at Stratford-on-Avon as it was at Stratford, Ontario; and it was a matter of real sorrow to him that none of his own 30-odd plays had any real success outside his native country. He consoled himself with his novels: "I like being a novelist," he used to say, "for the same reason that Charles Dickens liked being a novelist. You can play all the parts, arrange the scenery, be the whole show and nobody gets in the way."

The theatrical metaphor is significant – the more so when we remember that Dickens too had a lifelong passion for the theatre. (As a particular devotee of amateur theatricals, how he would have loved *Tempest*, 1951, the first of three novels forming the "Saltire Trilogy" and the funniest book on the subject ever written.) He and Davies had a lot in common. Both were prepared to allow their imagination to take them where it would – though over so far that they could not find their way home again; both were drawn, irresistibly, towards the grotesque; neither was afraid – when the time was

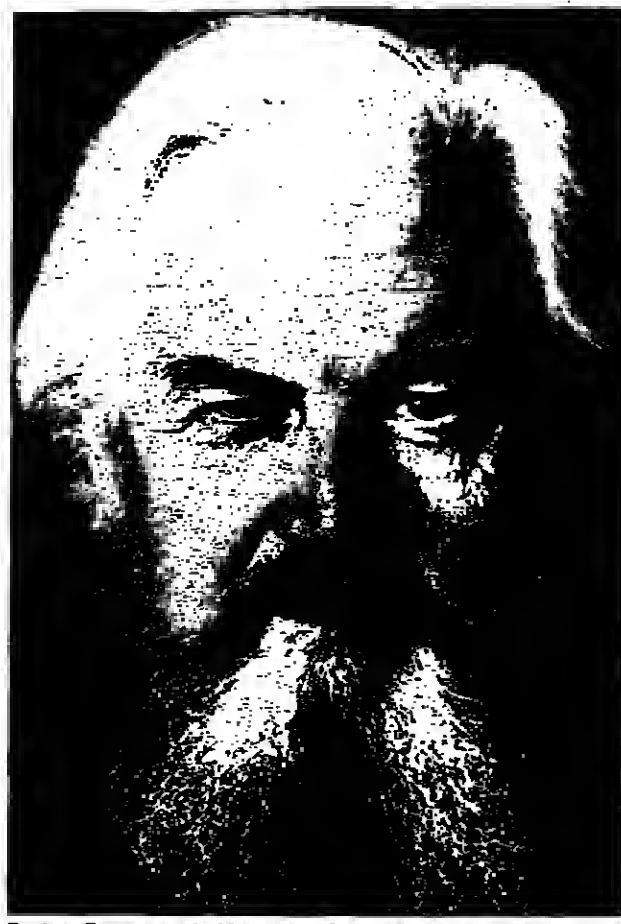
right – to go, consciously and quite deliberately, over the top. Davies's hilarious account, in what sadly proves to be his last novel, *The Cunning Man* (1995), of the Coburg Social Parlious Annual Bad Breath Contest, is a case in point.

His literary life, however, was not confined to novels and plays. On his return to Canada he had become a journalist, not only editing and publishing the *Peterborough Examiner* – owned by his father – but for many years contributing a regular column purporting to be the work of a cantankerous columnist named Samuel Marchbanks.

Professor of English at the University of Toronto from 1962, in the following year he was appointed first Master of the new Massey College. (Although he retired in 1981, he held the titles of Master Emeritus and Professor Emeritus until his death.) It was during his years at Massey that he became famous for telling his annual Christmas ghost story, a major event in the university calendar. Ghosts always fascinated him; one of them, indeed, is the protagonist of his penultimate novel, *Murder and Walking Spirits* (1991). "I believe in them," he once said, "as Shakespeare believed in them. They are a way of exemplifying something you know to be true, but which is very hard to give substance to."

"Why does Hamlet see his father's ghost? It's in order that he may recognise what he knows in the depths of his own mind. It doesn't really mean that people are floating around in nightgowns looking for someone to scare."

Inevitably, with his genius, his reputation – and his looks – he



Davies: like some mischievous Old Testament patriarch

was cut out to become the Grand Old Man. In a recent letter he wrote:

All of a sudden I seem to be a public monument... If someone has a brilliant new scheme for revitalising the drama, or giving fresh juice to the novel, I am just the lad to give it a push. "Celebrity suicides" (impromptu worn-out pairs of socks)... The latest is a demand for a bottle of my favourite wine to be auctioned for some literary cause; I have not the face to tell them that my favourite

wine is the one that appears on the table, and although I can tell white from red in a good light I am not otherwise a wine buff. But the real substance is the one with talented children. Last week, as I lay on the hospital table while a cardiologist read what a machine was saying about my heart, the doctor confided to me with bluntness that his son was a flautist in embryo, and it would mean so much to the lad if I would talk to him about writing. Under such circumstances, what does one do? If I refuse he may poison me... They

are all pure there is some secret, and they all think that writing is a high road to opulence. Many also imagine that being a writer attracts the carresses of exquisite society beauties, which I have never found to be the case.

Another fascination of Robertson Davies was with the preternaturally gifted. The young Paul Dempster, whose mother was killed at the beginning of *Fifth Business* (1970), grows up to be Magnus Eisenstein, the greatest illusionist-magician the world has ever seen. Dr Jonathan Hullah, hero of *The Cunning Man*, is its most inspired diagnostician. And yet, reaching the end of the canon, one is forced to the conclusion that Davies himself was a greater magician than Eisenstein could ever hope to be, and saw yet more deeply into the human psyche – or body, for to him it was all one – even than Hullah. He not only looked like a sage; he was one. His work is as instinct with wisdom as it is with imagination, and with humour, and with the drama.

As Hullah says: "This is the Great Theatre of Life. Admission is free but the taxation is mortal. You come when you can, and leave when you must. The show is continuous."

John Jaffes Norwich

My first meal with Robertson Davies in 1986 was celebratory, writes Felicity Bryan. I had been his literary agent for only a year and on the eve of his arrival in London I tracked him down at his Swedish publisher's to tell him that his novel *What's Bred in the Bone* had been shortlisted for the Booker Prize.

This recognition was exactly what we needed. For, while he was already a cult author in

America and his books sold throughout the world, recognition in England had eluded him. There was a group of enthusiasts (including Anthony Burgess, who always said Davies should have won the Nobel Prize) who had experienced his extraordinary "Deptford Trilogy" and never looked back. But it was tiny.

Rob put this down to a general British prejudice that found all things boring if they hailed from Canada. It was not something he resented. Indeed, he took positive pride in the boringness of Canadians, saying that he and his Swedish hosts had waxed quite competitive about which country was the most boring.

The Canada he wryly observes in his novels has as many layers as an onion and brims with memorable eccentricities. Rob and his wife Brenda invited me there one year to stay in the fine house they had built in the woods an hour from Toronto. It was a place to write and enjoy the countryside, but also to escape. For in Canada Robertson Davies was a hero. His books were both best-sellers and classics and thousands would attend his famous readings which – as a former actor – he performed with brilliance and brio.

His belated recognition in Britain did mean a lot. London, where he had been an actor, and Oxford, where he had studied, were close to his heart. When he was made an Honorary Fellow of Balliol College he admitted to being "quite inordinately proud of it"; when he received an honorary degree in the Sheldonian, looking like an ornate Father Christmas, he was thrilled to bits.

Representing Robertson

Davies was pure pleasure. His old-fashioned good manner and appreciation were refreshing and his letters fizzed with bizarre anecdotes and sly comments on critics, publishers and all literary types. In his last letter in October, he wrote that he was much enjoying writing his next novel which was to be the third of a loosely linked trilogy (with *Murder and Walking Spirits* and *The Cunning Man*). "I am puzzled," he wrote, "to determine whether it has no plot at all or more plot than the Bible. Certainly a lot of things happen but the characters keep talking all the time which may give a somewhat static impression. However, there's lots of time to take care of that."

William Robertson Davies, novelist, playwright and English scholar; born Thamesville, Ontario 28 August 1913; *Editor and Publisher, Peterborough Examiner, 1942-63; Professor of English, University of Toronto, 1960-81 (Emeritus); Master of Massey College 1963-81 (Emeritus); Stephen Leacock Medal for Humour, 1955; Lorne Pierce Medal of Royal Society of Canada, 1961; Governor-General's Award for Fiction 1973; books include The Table Talk of Samuel Marchbanks 1949, the "Saltire Trilogy" – *Tempest-Tost* 1951, *Leaves of Malice* 1954, *A Mixture of Fables* 1958, *The Deptford Trilogy* – *Fifth Business* 1970, *The Manticore* 1972, *World of Wonders* 1975, *The Cornish Trilogy* – *The Rebel* 1981, *What's Bred in the Bone* 1985, *The Lyce of Orpheus* 1988; married 1940 Brenda Matthews (three daughters); died Orangeville, Ontario 2 December 1995.*

Jimmy Jewel

The producer of television's *Heroes of Comedy*, John Fisher, in his classic *Funny Way to be a Hero* (1973), writes of double-acts: "The static combination of glib, gormless, grotesque and shrewd, pompous know-all reached its zany apotheosis in the late Forties with the act of Jimmy Jewel and Ben Warriss."

Warriss was the straight man in the snappy suit and Jimmy Jewel was the baggy-panted comic. Never reaching the popular heights of Flanagan and Allen, they nevertheless topped the bill for many years before the brighter, younger comedy of couples like Morecambe and Wise came flashing in.

Jewel and Warriss were probably the tail-end of the variety doubles, a trade learnt the hard way from small-town tours through the Thirties. Both came from show-business families. They were cousins, born in 1912, six months apart, in the same bed. Jimmy was the son of a comedian, James Marsh, who changed his name to Jimmy Marsh, and then to Jimmy Jewel. Jewel senior wrote and produced his own touring revues, and designed the sets, built the props and painted the scenery. The cousins did their first double-act for the family at the age of four. They sang "Here comes the Five-Fifteen, hear the whistle blowing."

Jimmy made his professional debut one year later. Dressed up as a little red devil he was shot on to the stage through a trap door, and broke his arm.



Jewel: baggy-panted

"My first break in show-business," he quipped.

Educated at boarding schools in Derbyshire and in Penge, south London, Jimmy joined the family troupe, but backstage, helping with the sets and the scenery. It was in the revue *Explosions* in 1925 at the Hippodrome, Roxburgh, that he turned "pro". Ben Warriss was in the show playing a miner's boy. To prune the expenses, Jewel sacked Ben and gave his part to Jimmy. This led to a backstage fight. Meanwhile Jimmy, oow re-christened Marsh Jewel by his father, was tried out as a comedian. "Act duff," he was told, so he did, and after a crash course in clog, tap and soft-shoe dancing, Jimmy had an act to please the patrons.

By 1931 Jimmy Jewel junior was starring in cine-variety, which meant he went on between the B-picture and the *Pathe Gazette*. He would open with a song, "Annabelle Lee",

followed by impressions of Jack Buchanan and Maurice Chevalier, and close with a chorus of "Fit Pat Listen to the Rain".

He next tried his hand at his own show. He formed a co-operative with Willie Lancel, a midget whose act was as a telegraph boy who sang a saucy song called "I Always Take a Long Time Coming". The cast included Jimmy's Uncle Fred, and under the title of *We're All In It and Up to Our Neck*, it opened in Castleford. Its run was shorter than expected when two detectives arrested Uncle Fred for not paying his maintenance money.

Ben Warriss was by now a well-known solo turn as a black-face singer. He and Jimmy changed to be booked together for a one-night stand. The bill required two single acts and one double. Mooney was tight so the cousins agreed to do the lot, whipping up a patter act and receiving 50 shillings between them for the night. The venue was Welwyn Garden City.

In May 1934 the double-act first came together. Jimmy and Ben had been booked separately by Jewel senior for a show at the Palace, Newcastle. Another double-act failed to turn up. It was the boys' big chance. Remembering gags from all the doubles they had seen down the years, Ben opened with the classic straight line, "Ladies and gentlemen, a little monologue entitled *The Wreck of the Hesperus*." Jimmy came on with a funny run, shouting, "Have you seen a feller with a

small bowler hat, tall suit and black shoes?" "No," said Ben. "Blimey!" said Jimmy, "I'm lost again!"

The new act was booked by the Northern impresario John D. Robertson, father of the *Carry On* comedian Jack Douglas. He paid them £14 a week for his revue, *Revels of 1934*. Jewel and Warriss were on their way, if not to the top of the bill, at least to Australia. Here, Jimmy met Belle Blunt, the pretty daughter of a show-business family. He fell in love and married her.

Jewel and Warriss finally made their West End debut at the Holborn Empire; top of the bill was Max Miller. They starred in a touring revue and first performed their quarrelling act known as "The Mustard Routine", which their agent had bought from the popular American double-act Bud Abbott and Lou Costello. Their first Palladium show, *Gangway* came in 1942, and their film debut a year later, as Vera Lynn's brothers in the Columbia musical *Rhythm Serenade*.

During the Second World War they played for the forces through ENSA, and starred with Two Tossie O'Shea in the Blackpool spectacular, *The Big Show* (1943). A provincial tour in *Black Vanities* followed, by which time they were earning £200 a week. In 1946 Val Parnell put them into his Palladium show *High Time*.

Radio now entered the scene; the BBC producer George Jones booked them for a run of 13 weeks in his series

Navy Menure. A series of their own followed. *Up the Pole* made its debut in October 1947 and ran until 1952. The pair were cast as the cross-talking proprietors of an Arctic trading post, with Claude Dampier as Horace Hotplate, Mayor of the North Pole. Jon Pertwee played Mr Burp the handymen.

Films tried them again in 1949, and the act went to Manchester to star in a film directed by the Northern film-maker John E. Blakeley. Jimmy and Ben played a pair of clumsy soldiers bossed about by their sergeant – the Irish tenor and income taxrefugee Josef Locke. The film was to have been called *Up the Pole*, but the BBC wanted a fee for their title; Blakeley promptly re-christened it *What a Carry On!* A pity he didn't copyright that.

The act did better in television. Ronnie Waldman, the head of BBC light entertainment, created a spectacular Saturday show around them, written by Ronnie Hanbury. *Turn It Up* started in September 1951. A second series ran in 1953, entitled *Re-Turn It Up*.

Their next series was a comedy thriller serial, *Double Cross* (1956). Their writers were Sid Green and Dick Hills, who later wrote for Morecambe and Wise. Jewel supplied the idea, inspired by the real-life spy affair of Burgess and Maclean. A pretty blonde singer, Jill Day, was the girl in the case, who was so frightened that she fainted during the live transmission. Without a pause, Jewel prompt-



Jewel (right) and Warriss: the tail-end of the variety double-acts

ed Warriss into going into their long-lasting Mustard Routine.

Television proved the "third life" for Jimmy Jewel, as recorded in his autobiography, *Three Times Lucky* (1982). After the team broke up in 1966, Frank Muir, the BBC's Head of Comedy, tried him out in the short play *Spanner in the Works* (1967). His success in this led to a role in the full-length *Lucky For Some*. Then came the breakthrough, the part of Eli Pledge, pickle manufacturer, in the Granada series *Nearest and Dearest*, which began in August 1968. The brilliantly eccentric Hylda Baker co-starred as his sister Nellie, a pairing that

came off perfectly on the television screen, but not so off-set. They fell out and only spoke to each other when on camera.

While Warriss soldiered on chairing the occasional old-time music hall, Jewel went from strength to strength. He turned into one of those great variety stars who, like Will Fyfe and George Robey, found new careers in legitimate drama. In *Spring and Autumn* (1973), he played a widowed father living with a very unwilling son-in-law. Neil Simon's *The Sunshine Boys* (1975) secured him a permanent place in the theatre.

Jewel's last television series, *Funny Man*, was based on his

own life story and his family's career in the music halls. The most surprising role he played on television was as a cartoonist on the game show *Quick on the Draw*. His early work as his father's scenic painter was evidently at the root of his unexpected ability to sketch out impromptu visual gags, proving that everything learnt in life counts – if you live long enough.

Denis Gifford

James Arthur Thomas Jewel Marsh (Jimmy Jewel), comedian; born Sheffield 4 December 1912; married Belle Blunt (died 1985; one son, one adopted daughter); died London 3 December 1995.

Births, Marriages & Deaths

BIRTHS

JENNINGS: On 22 November 1995, in Zurich, Switzerland, to Susanne and Simon, a son, Lukas Montgomery, a brother for Alexander.

ROLL: On 8 November, a daughter, to Mark and Marion.

DEATHS

CALDEN-MARSHALL: On Sunday 3 December, peacefully, at Denville Hall, Violet (Ara), wife of the late Arthur and a much loved mother of Anna and Clare. Funeral Service at Mortlake Crematorium, on Friday 8 December at 11.30am.

PAYNE: Philip, MA Cantab, BA Lon, on 4 December, aged 66 years, at his home in Wymondley. Deeply loved husband of Carla and father of Marjolein, Moira and Stella. Funeral service Friday 8 December at Colchester Crematorium at 12.30pm. No flowers by request, donations for Amnesty International may be sent to Co-operative Funeral Service, Wimpole Road, Colchester, Essex CO1 2DB.

Announcements for Deaths, BIRTHS, MARRIAGES & DEATHS (Births, Adoptions, Marriages, Deaths, Memorial services, Wedding anniversaries, In Memoriams) should be sent in writing to the Gazette Editor, The Independent, 1 Canada Square, Canary Wharf, London E14 5DL, telephoned to 0171-233 2011 (24-hour answering machine 0171-233 2012) or faxed to 0171-233 2010, and are charged at £6.50 a line (VAT extra). OTHER Gazette announcements (weddings, funerals, forthcoming marriages, marriages) must be submitted in writing (or faxed) and are charged at £10 a line, VAT extra. They should be accompanied by a daytime telephone number.

Forthcoming marriages

Mr N. A. Peacock and Miss S. J. Haden. The engagement is announced between Nicholas, son of Mr and Mrs Michael Peacock, of North Kelsey, Lincolnshire, and Sarah, daughter of Mr and Mrs Ronald Haden, of Kingston, Worcestershire.

Birthdays

Lady Balfour of Burleigh (Janet Bruce), editor, writer and columnist, 50; Mr José Carreras, operatic tenor, 49; Lord Chalfont, chairman, Radio Authority, 76; Miss Lucie Clayton, founder of the Lucie Clayton model and secretarial agency, 67; Sir William Downward, former Lord-Lieutenant of Greater Manchester, 83; Miss Enid Mary Essame, former Headmistress of Queenswood School, 89; Mr Tom Graham MP, 51; The Right Rev George Henderson, former Bishop of Argyll and The Isles, and former Primate of the Episcopal Church in Scotland, 74; Mr John Home Robertson MP, 47; The Earl of Longford, writer and former government minister, 90; Mr Terry Miles, founder and former chairman and chief executive, Pentos, 60; Lord Matthews, former newspaper publisher, 76; Mr Sheridan Morley, writer, biographer and broadcaster, 54; Lord Nathan, former chairman, Royal Society of Arts, 73; Mr Jeremy Sandford, author, 61; Mr Harold Sebag-Montefiore, barrister, 71; Mr Baden Skitt, Chief Constable for Hertfordshire, 54; Dame Mary Smith, former senior civil servant, 93.

Anniversaries

Births Christina Georgina Russell, poet, 1830; George Armstrong

Custer, cavalry commander, 1839; Fritz Lang, film director, 1890; Walter (Walt) Elias Disney, artist and film producer, 1901. Deaths: Wolfgang Amadeus Mozart, composer, 1791; Sir Henry "Tin" snuff collector and philanthropist, 1895; Claude Oscar Monet, painter, 1926. On this day: James Christie, London auctioneer, held his first sale, 1766; the brig *Mary Celeste* was found abandoned in the Atlantic, 1872; prohibition was repealed in the United States, 1833; Britain's first motorway opened, 1959. Today is the Feast Day of St. Blisim, St. Christian, St. Crispian, St. John Almond, St. Justimian or Iestyn, St. Nicotinus of Trier, St. Sabas and St. Sigrannus or Cyran.

Luncheons

Foreign and Commonwealth Office. Mr Jeremy Hanley MP, Minister of State for Foreign and Commonwealth Affairs, hosted a lunch held yesterday at Lancaster House, London SW1, for a delegation of Members of the South African Constitutional Assembly.

Royal Over-Seas League. Dr Eileen Barker was guest speaker at a meeting of the Royal Over-Seas League's Discussion Circle held yesterday evening at Over-Seas House, St James's, London SW1. Her subject was "Do All Religious Cults Involve Brainwashing?"

Appointments

Mr Richard Edle, to be Ambassador to the Tunisian Republic. Mr Richard Ralph, to be Governor of the Falkland Islands and Commissioner of the South Georgia and South Sandwich Islands. Mr Andy Debnant, to be Chairman of Council of the Textile Institute.

ROYAL ENGAGEMENTS

The Queen holds an investiture at Buckingham Palace. The Duke of Edinburgh appoints an "Honorary Cadet" to the Royal School of Cavalry, London W1. The Prince of Wales appoints an "Honorary Cadet" to the Royal School of Cavalry, London W1. The Duke of Gloucester appoints an "Honorary Cadet" to the Royal School of Cavalry, London W1. The Duke of Kent appoints an "Honorary Cadet" to the Royal School of Cavalry, London W1. The Duke of York appoints an "Honorary Cadet" to the Royal School of Cavalry, London W1. The Duke of Gloucester appoints an "Honorary Cadet" to the Royal School of Cavalry, London W1. The Duke of Kent appoints an "Honorary Cadet" to the Royal School of Cavalry, London W1. The Duke of York appoints an "Honorary Cadet" to the Royal School of Cavalry, London W1.

Changing of the Guard

The Household Cavalry Mounted Regiment presents the Queen's Life Guard at St James's Palace, London W1.

Lectures

National Gallery: Colin Wiggins, "In Trust for the Nation (Q): pictures by Strozzi and Guercino", 1pm. Tate Gallery: Justin Hopkins, "Turning the Century: late Victorian and Edwardian painting", 1pm. British Museum: V. Nersisyan, "Armenian Art Treasures in the British Museum", 1.15pm. National Portrait Gallery: Simone Matthews, "Gilbert, Sullivan and Others", 1.10pm. Elgar Literary and Scientific Institution, London N6: Peter Porter and Edwin Brock, "Poets in Ambit", 7.45pm. RIBA Architecture Centre, London W1: Peter Cook and Christine Hawkey, "The Work of the Practice", 6.15pm.

Bank's insurance policy did not cover theft

LAW REPORT

5 December 1995

Deutsche Genossenschaftsbank v. Barmherzigkeit and others, *Barons of Lords* (Lord Keith of Kinkor, Lord Lloyd of Berwick, Lord Nicholas of Birkenhead, Lord Sney and Lord Hoffmann); 16 November 1995

A bank's insurance policy which covered loss through theft committed by persons present on the bank's premises contemplated theft by a thief who was physically present on the premises. The House of Lords (Lord Sney dissenting) allowed an appeal by the appellant underwriters and restored Mr Justice Hobhouse's order that the bank was not entitled to claim for a loss by theft under its insurance policy.

A company, Wallace Smith Trust Co Ltd, was a customer of the bank with a secured credit line of £9m. Wallace Duncan Smith, the chairman of the company, arranged a variation of the credit terms whereby the bank would allow the company to take possession of the securities until close of business on any day in exchange for a letter of undertaking by the company that it would produce acceptable securities to the bank by the close of business that day.

A junior employee of the company went to the bank's

premises, handed over a letter signed by Mr Smith on behalf of the company undertaking to deliver specified securities and the original securities were handed over to the employee. The alternative securities were never delivered. The company was wound up and Mr Smith was charged with fraudulent trading. The bank was never repaid the £9m.

The bank claimed against the underwriters under clause 2 of its insurance policy, which covered the bank against losses "On premises". "By reason of... theft, larceny or false pretences, committed by persons present on the premises." Mr Justice Hobhouse decided that the theft was not committed by persons present on its premises within clause 2, since the theft was committed by Mr Smith and through him by the company and the only person on the premises was the employee who was not alleged to have committed any criminal offence. The Court of Appeal (Lord Justices Waite and Peter Gibson, Lord Justice Staughton dissenting) allowed the bank's appeal on the basis that the company was present on the bank's premises through its

employee who did the act of appropriating the securities. *Gordon Langley QC and Guy Phillips (Baron Leighton)* for the underwriters; *David Donaldson QC and Rory Phillips (Herbert Smith)* for the bank.

Lord Keith said that the reason why the company was guilty of theft was that its directing mind and will, Mr Smith, was himself guilty of theft. If there had been no company involved and if it had been Mr Smith as an individual to whom the bank had granted the loan, so that the theft was committed by Mr Smith alone, then it could not be said that Mr Smith was present in the bank when the securities were uplifted by the employee.

If Mr Smith himself had taken delivery of the securities in the premises of the bank, the company, as well as Mr Smith, would have been criminally liable for theft, and it could be said that the company had been present in the premises of the bank within clause 2. But the company's liability would be irrelevant, since the theft would in any event have been committed by a real person on those premises. Where Mr

Smith could not be said to be present on the bank's premises then neither could that be said of the company.

The purpose of clause 2 was to limit in some way the liability of the underwriters for theft from the bank, such as abstraction by electronic means. What was in contemplation was a theft by a real live person in the bank.

Lord Lloyd, agreeing, said that no doubt the bank could, by paying an increased premium, have covered itself against theft by electronic transfer. But it might have decided to pay a lower premium and limit the cover to thefts by persons actually on the premises.

Lord Nicholls, agreeing, said that the words in clause 2 were not satisfied by the presence of some innocent person acting on behalf of the person committing the theft.

Lord Hoffmann said that "persons present on the premises" was not intended to refer to companies at all.

Ying Hui Tan, Barrister

Lowering legal limits and random breath-testing would save more lives than advertising campaigns. Christian Wolmar reports

One more for the road – and the morgue

We are in for our annual dose of shock treatment tonight when this year's Christmas anti-drink-drive commercial is screened for the first time. It is, like last year's effort, aimed at young people who drink in pubs – the most easily targeted group of drink-drivers. The ad shows a young man being egged on to have "one more" drink in the pub. Then it cuts to his mother feeding him the same chump, urging him to have "one more" spoonful of food: he has been left brain-damaged after the inevitable crash that followed his binge.

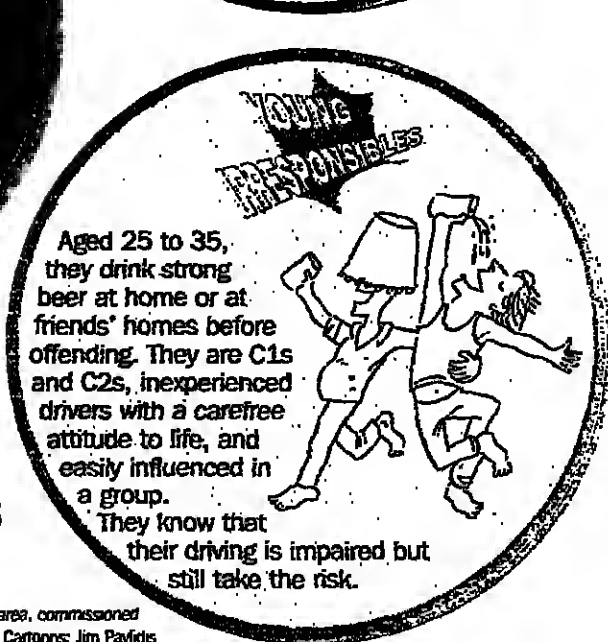
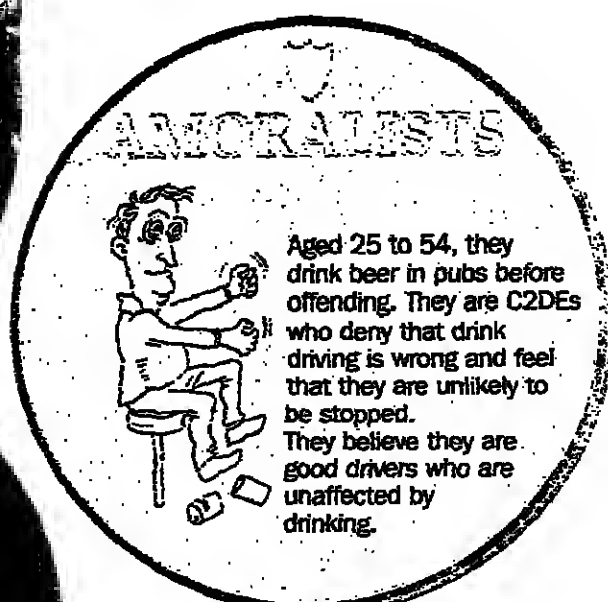
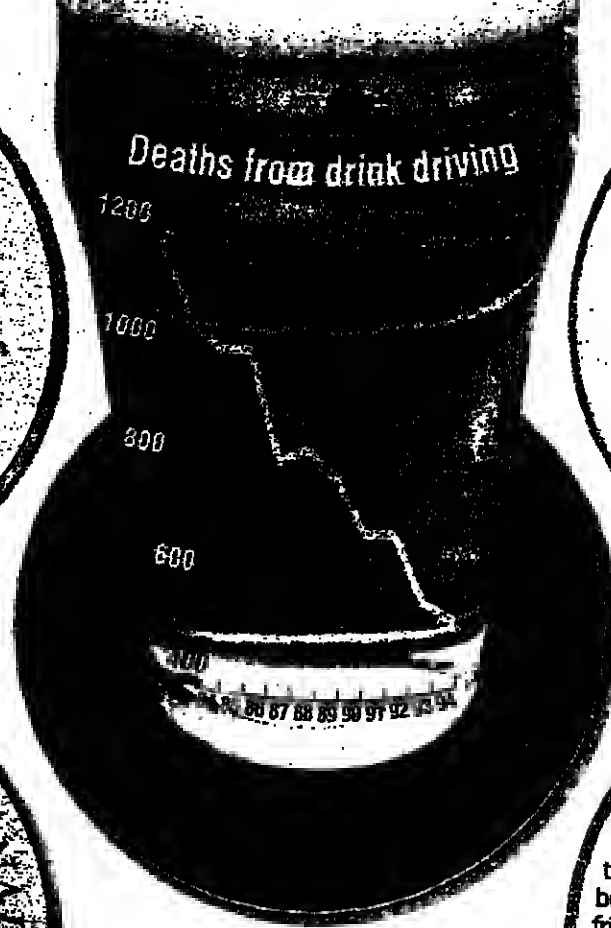
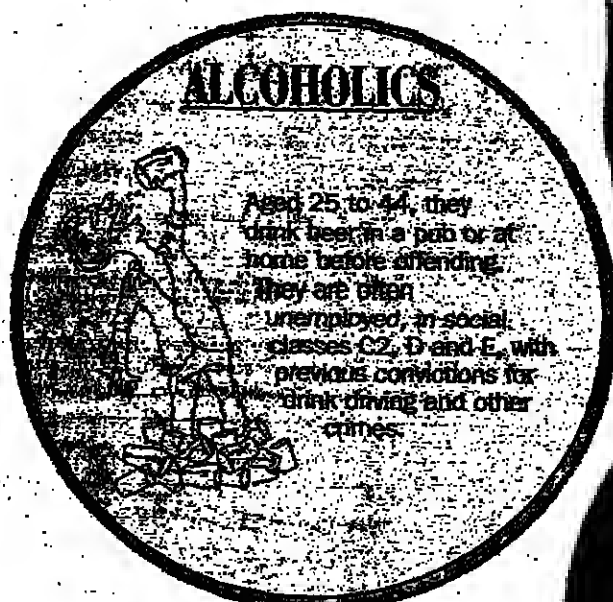
Two decades of these shock ads have helped to change the social climate of drinking and driving. Drink-driving used to be considered a bit of a "laugh", the subject of pocket cartoons and comedians' jokes. Not any longer. It has become conventional wisdom that the drink-drive scourge has largely been

beaten and that "one for the road" is as socially unacceptable as smoking in public places.

True, there has been an enormous social change, one of the great transformations in personal mores of recent years. Indeed, getting people not to drink and drive has become almost *hip*. This Christmas, Holsten Pils is running its own campaign and Coventry council has even taken to encouraging publicans to hand out blue ribbons to drivers as a way of reducing the stigma of not drinking when out with the lads.

This change in social behaviour has largely been brought about by a combination of enforcement – thanks to the introduction of the breathalyzer and automatic driving ban – and the excellence of the anti-drink-drive advertising campaigns. But while the social acceptability of drink-driving has been reduced, it is not by as much as ministers and the drinks industry like to suggest.

There is still a massive campaign on the roads, a toll well in excess of, say, the death rate from Ecstasy or even heroin. Last year, there were 520 drink-drive-related deaths, 10 per week or one-seventh of all road deaths. Any other transport-related disaster on this scale, especially when it is clearly preventable, would lead to enormous public concern and promises of action by ministers.



Drink drivers: the four types

Source: a study of men convicted of a drink drive offence in 1992 in a large metropolitan area, commissioned by the Portman Group, DMB & B and the Department of Transport. Graphics: Mark Hayman. Cartoons: Jim Pavlice.

Contrast this with yesterday's detailed inquiry into the sinking 15 years ago of the bulk carrier *Derbyshire*, in which 44 people died.

Among large elements of the population, drink-driving is still seen as acceptable. The Portman Group, a research body sponsored by the drinks industry, has identified four key groups among the 50,000 people (mostly men) who

represent 7 per cent of the total) still convicted each year of drink-driving offences. These are the "devastated professionals" who take a calculated risk on the way home from a party and find themselves up against the law; the "reckless" young drinkers; the "persistent", or "alcoholics"; and the frankly amoral "re-takers" who aren't bothered if they do kill an old lady on the way home from the pub.

There is also a fifth, heterogeneous group of one-offs, who cannot be put into any precise category. Because young drinkers, aged 18 to 30, are the easiest to target, the ads tend to be aimed at them, but John Rae, director of the Portman Group and former headmaster of Westminster School, questions this strategy. "Directing the campaigns at young drinkers is fine,

but it is important to find ways of aiming at other groups, too, if we are going to get the death toll down further."

There is a further problem about directing the publicity at pub drinking when young people increasingly take alcohol home to drink in front of the TV. Still, at least they will see the ads, unlike the young men in the pub.

The rate at which the death toll is now falling suggests that

conventional methods of targeting drink-drivers are no longer effective. While the toll fell sharply, from 1,643 in 1979 to 1,110 in 1983, it has fallen much more slowly since, with the expectation, from preliminary results for the first half of the year, that this year's figures will show no reduction at all, or even a slight rise.

Rob Gifford, of the Parliamentary Advisory Committee

on Transport Safety, reckons that the time has come to change drink-drive rules. The current legal limit is 80 milligrams of alcohol per 100 millilitres of blood, but Mr Gifford, along with the British Medical Association, argues that a reduction from 80mg to 50mg, along with the introduction of random breath-testing, would bring about a sharp reduction.

He points to Belgium, which

on 1 December last year reduced the limit from 80mg to 50mg. That month, there was a 9.6 per cent drop in road accidents causing injuries and a 23 per cent fall in road deaths compared with the previous December.

Mr Gifford accepts that the publicity associated with the change helped to reduce the toll but argues: "There are lots of Belgians alive today who otherwise would have been dead. Surely that makes this type of change worthwhile." Mr Gifford says that there is increasing scientific evidence to suggest the 50mg is a better limit because that is the point when alcohol starts seriously to impair driving.

However, ministers are reluctant to introduce the change, let alone the "zero" limit advocated by some campaigners. The politicians' argument is echoed by John Rae, who says that retaining public support is all important: "If you

'Once they start breaking the law, it becomes less of a barrier to further drinking'

reduce the level too much, then you lose public backing because people feel it is irrational. And once they start breaking the law, it becomes less of a barrier to further drinking."

This is refuted by Mr Gifford, who says the evidence from Belgium and Australia, where some states have also implemented lower limits, unequivocally shows that the incidence of severe overdrinking is reduced, along with minor transgressions of the law.

The random breath-test debate is equally fraught. John Rae outlines the case against: "Random testing means setting up roadblocks and stopping everybody. That would be deeply unpopular."

In fact, the police can and do in effect already stop anyone they want to. The really big impact would come from the publicity associated with formally giving the police extra powers, which it is argued would deter many drink-drivers.

Mr Gifford believes it is time to test public acceptance of the idea: "Now that drink-driving is no longer socially acceptable, the majority of people who are not drink-drivers would be quite prepared to be stopped by the police."

Indeed, he is convinced that reducing the limit and bringing in random testing is inevitable. "As a society, we cannot continue tolerating 10 deaths per week."

From red to blood on the pavement

It is a sad irony that the anti-drink-drive advertising campaigns, which have been so successful in reducing the death toll, have also been responsible for a sharp increase in the number of people who are killed or injured on the roads. The death toll has risen from 1,110 in 1983 to 1,643 in 1992. The increase is due to a number of factors, including the fact that the campaigns have been aimed at young people, who are the most likely to be involved in accidents. The campaigns have also been aimed at people who are already drinking, who are more likely to be involved in accidents. The campaigns have also been aimed at people who are already driving, who are more likely to be involved in accidents. The campaigns have also been aimed at people who are already driving, who are more likely to be involved in accidents.

Diary

VICKY WARD

This week sees Judge Stephen Tumim, the newly retired chief inspector of prisons, take his last curtain call, still defiantly getting up the nose of the man who so cruelly removed him from his post – the Home Secretary, Michael Howard. On Thursday, Tumim attends a final special tribute to his work and his guest will be Derek Lewis, the recently sacked governor of HM prisons.

The duo are to attend a gala performance of *West Side Story* at Wandsworth prison performed by inmates and Pimlico Opera. Since Lewis angrily accused Howard of unfair dismissal and interfering in operational matters this autumn, Tumim's gesture of friendship is likely to go down like a lead balloon at the Home Office. Still, Howard may take solace in the fact that he can now pursue his "tough on crime" policies unimpeded by Tumim's liberal interference. For how long, though, is a moot point. Methinks Tumim's final words in office will ring in the Home Secretary's ears at night: "The pendulum will swing back again. It may not be until after the election, but remember, that is only a year or so away."

Some interesting reading has fallen on to my desk concerning Ian McCartney, the shadow employment secretary. In May he issued a press release that vigorously deplored the half-year results of the Royal Bank of Scotland (the Tories' bankers), which announced that pre-tax profits had increased by one-third to £270m because the bank had made 200 staff redundant – part of a programme to shed 3,000 jobs by 1997.

The bank's chief executive, George Mathewson, was unamused. He replied to Tony Blair, with a copy both to McCartney and the Labour spokesman for the City, Alastair Darling, stating that he was very "surprised" by McCartney's press release.

McCartney interpreted the letter as a request for his sacking. He was livid. Now, though, the brouhaha seems to be over. McCartney is triumphant. Why? For two reasons: first, as he puts it, "I'm still in the



Here comes that judge again ...



job." Second, those forgiving people at the Royal Bank of Scotland have just given him a mortgage.

Manchester University had a novel way of celebrating National Tree Week, last week – it cut down a pine cone on the land of The Firs, former home of the late vice-chancellor and editor of the *Manchester Guardian*, CP Scott, to create a car park. A nest of squirrels died in the process – and the sight of their bodies laid out on the university ship has greatly inflamed the university's green brigade (virtually the entire student population). The assman responsible, Mr Furse, head of estates and services, is being bombarded with furious calls. When I rang to speak to him, his secretary sighed, "About the trees, is it?"

It is not often that I meet convicted felons at drinks parties, so you may imagine my surprise when, at a literary do hosted by the Scottish

literary agent Andrew Lowrie last week, I was introduced to an elegant lady attired in black and pearls named Baroness de Stempel.

I'm afraid yours truly was quite nonplussed. My manners deserted me entirely – I stood and gawped, wondering how to start conversation. (Baroness de Stempel, for those who don't know, was sentenced to seven years in jail for swindling her late aunt, Lady Illingworth, out of £500,000 – she spent four years inside and was released in 1993.) What is a girl meant to say to such a person in the way of small talk? I could hardly say, "Aren't you a criminal?" That would have been a bit rude. So, seeing as we were at a literary do, I opted for the tamer, "What have you written?"

The good lady saw my embarrassment and came to the rescue at once. "I have written a book about myself, but it has not yet been published." Pause. "But the reason you've heard of me is because I was convicted of fraud and spent four years in jail." Phew. After that we had a lovely long, perfectly normal conversation about the expense of renting London flats. ... Baroness de Stempel is moving to Fulham.



And there goes that Baroness ...

I had a fascinating time last week visiting Gordon Medlicott, one of Britain's last lighthousekeepers – they are all due to be replaced by automatic navigational systems by 1998. But Mr Medlicott, 54, who is



And, finally, that lighthousekeeper

head keeper at North Foreland lighthouse, near Broadstairs in Kent, was at great pains to debunk the myth (which I firmly believed in) that lighthouse keepers are meant to keep a look out for wrecks in the dark. "Unless the coastguard asks, then that is not, and has never been, one of our duties," he told me patiently. "In fact, I had a friend at – I won't say where – who only realised there was a ship aground outside his front door when he switched on his TV and saw the news."

Whilst Fleet Street's incestuous world is abuzz with the news that the *Daily Mail's* features editor, Richard Addis, is shortly to become editor of the *Express*. Addis's wife, Noonie, has her mind on more academic affairs. She is devising an Ancient Roman boardgame, due for completion in February. "The idea is that lots of different Roman characters go around a street map of Rome buying ingredients for a Roman feast," she explains. "It is meant to be for all age groups – I thought of it because so many of my contemporaries were nostalgic for Latin lessons."

But Mrs Addis has one problem which readers may be able to assist with – choosing the game's name. "My last thought was 'Cicero'," she says. "And friends have suggested Caligula and Festina Lente." Send your suggestions my way. In the meantime, I'll start the ball rolling, comely I'm afraid, with "Nil Desperandum".

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Paying the price for Maastricht

Certain years in French history – 1789, 1848, 1870, 1968 – are embedded in Europe's collective memory in a way that is true for no other country. Should we be preparing ourselves to add 1996 to the list? As with those earlier dates, the crisis facing President Jacques Chirac and his conservative government has a significance extending beyond France's borders. It is a crisis whose course and outcome will be decisive for the direction that Europe takes in the next century. The burden of responsibility on Mr Chirac and his Prime Minister, Alain Juppé, is immense.

No single motive underlies the strikes that have paralysed France's transport systems, brought out utility and postal workers and coincided with a wave of student demonstrations. Rather the French public is nursing a collection of extremely varied grievances as well as an ill-defined but acute anxiety about the future. Labour unrest had been threatening to boil to the surface since Mr Chirac's election victory last May. However, the catalyst for the strikes was the government's decision in late October to implement an austerity programme aimed at reducing the state budget deficit and ensuring that France will qualify for the single European currency planned for launch in January 1999. Since all of Europe accepts that monetary union will not happen without French participation, it is no exaggeration to say that the fate of the most ambitious project in the European Union's history hangs on the success of the French government's economic policies.

The government will not find it easy to settle the strikes quickly while reassuring the financial markets that France will meet the Maastricht treaty's conditions for

monetary union on schedule. The centrepiece of the austerity programme is a radical redesign of the debt-ridden welfare state, involving new taxes for all but the poorest people, controls on healthcare costs, and a demand that public-sector employees work longer for a full pension. If the government makes concessions to the strikers on these points, the markets will take it as evidence that France will not meet its deficit targets and the single currency will not be launched in 1999. Yet if the government makes no concessions, the strikes will drag on, depressing the French economy and making it even more difficult for the government to fulfil the Maastricht criteria on time. Heads or tails, it seems, the government cannot win.

So far, the railwaymen, electricity and gas workers, postal staff and other strikers have made no attempt to draw an intellectual connection between their protests and wider European issues. Yet the existence of such a connection is precisely what gives France's social unrest its historic importance. Viewed from a European perspective, the troubles represent nothing less than a popular outcry against the model of Europe designed at Maastricht. It is no coincidence that similar disturbances have begun to rock Belgium, where the government is also embarked on a retrenchment programme designed to slash the budget deficit. To meet the Maastricht terms, the French government has had to postpone its fight against unemployment, now at 11.5 per cent, and ask much of the working population to bear increased job insecurity, higher taxes and reduced benefits. Now it has serious social discontent on its hands. The price being paid for Maastricht is looking ominously high.

Keeping up with the Tories

In July, when the Government proposed a system of vouchers to pay for nursery schooling, Labour dismissed the policy as a "con". At the time, we predicted that it would only be a matter of time before the party "cals its words and advocates an adapted form of vouchers". Sure enough, with the year just out, Labour is thinking about doing just that. It could all prove to be a bit of an embarrassment for the Opposition. A sudden policy shift would be hard for many in the party to stomach, not least David Blunkett, Labour's education spokesman. Yet, as we report today, Tony Blair is preparing to gulp hard: he wants to have his own voucher policy ready for the general election.

Labour's proposed U-turn would be good news for those who support enhanced consumer power over public services. A voucher system offers parents a choice of nursery school. However, the Government's scheme is flawed. It offers parents of four-year-olds vouchers worth £1,100 to pay for nursery schooling, regardless of income. This wastes public funds because the scheme fails to target resources towards children of the low-paid.

So there is much for Labour to improve upon to combine choice with fairness. Its proposals should either means-test vouchers or make them taxable. That would be fairer and more cost-effective. Resources could then be freed to provide bigger vouchers to those eligible and extend their use to cover three- as well as four-year-olds. In short, Mr Blair should be able to trump the Government's £1,100.

That Labour is contemplating such a U-turn in its policies tells us much about a party that is desperate to win the general election. Mr Blair does not fancy opposing a scheme that is likely to prove popular with parents. He is ruthless in dumping policy that could be an electoral handicap. The party is retreating ever faster – this time it took only five months – in areas where the Tories have taken the high ground.

But has anything more profound happened to Labour than an ability to compete with the Tories? There are grounds for hope. A switch to supporting vouchers would be a vote for consumerism against producerism in the public sector. So are Labour's plans to be unveiled today for a crusade to raise teaching standards. The voucher scheme is also a move away from protecting the public sector against private competition: parents would not be bound to spend their vouchers in council nurseries.

If the logic of this policy reversal was pursued to other areas then the days when state cash automatically went to state-owned schools and hospitals would be numbered. This would do for Labour policy on public services what the revision of Clause Four did for nationalism.

Such a change would be a brave and dramatic departure, placing Tony Blair's party alongside those who use publicly funded services rather than those who provide them. If Labour took this step, we could at last say the party was innovating and not simply catching up with the Tories.

ANOTHER VIEW Robin Teverson

A fair deal on fishing

The Independent is correct to highlight the bleak future faced by fishermen in Newlyn. From my vantage point in the Fisheries Committee of the European Parliament, I have seen all too clearly how their plight is shared by skippers from every corner of Britain. But we cannot just bemoan their fate or use it as an excuse for the crude re-nationalisation of fisheries policy. There are alternatives.

We need to recognise that the current system is set to – quite literally – consume itself. Unlike farmers, fishermen have little opportunity to diversify. Faced with a threat to the stocks from other fleets, they are left to grab what they can, while they can. Lectures from high about sustainability do not help when the fishermen are concerned about surviving the next month, never mind the next 20 years.

Resolving that problem means creating a community of common interest among all skippers within a fishery – a system whereby collective action can be seen to further individual prosperity. The best way of doing that is not to nationalise fishing policy but to regionalise it.

While British fishermen may be suspicious of Brussels, they are right to be equally uncertain about depending on Whitehall. Nationalising fisheries policy would merely accentuate the present situation where the various fishing fleets are set at each other's throats. It would benefit those countries with aggressively

supportive governments and penalise those with more supine backup – notably our own.

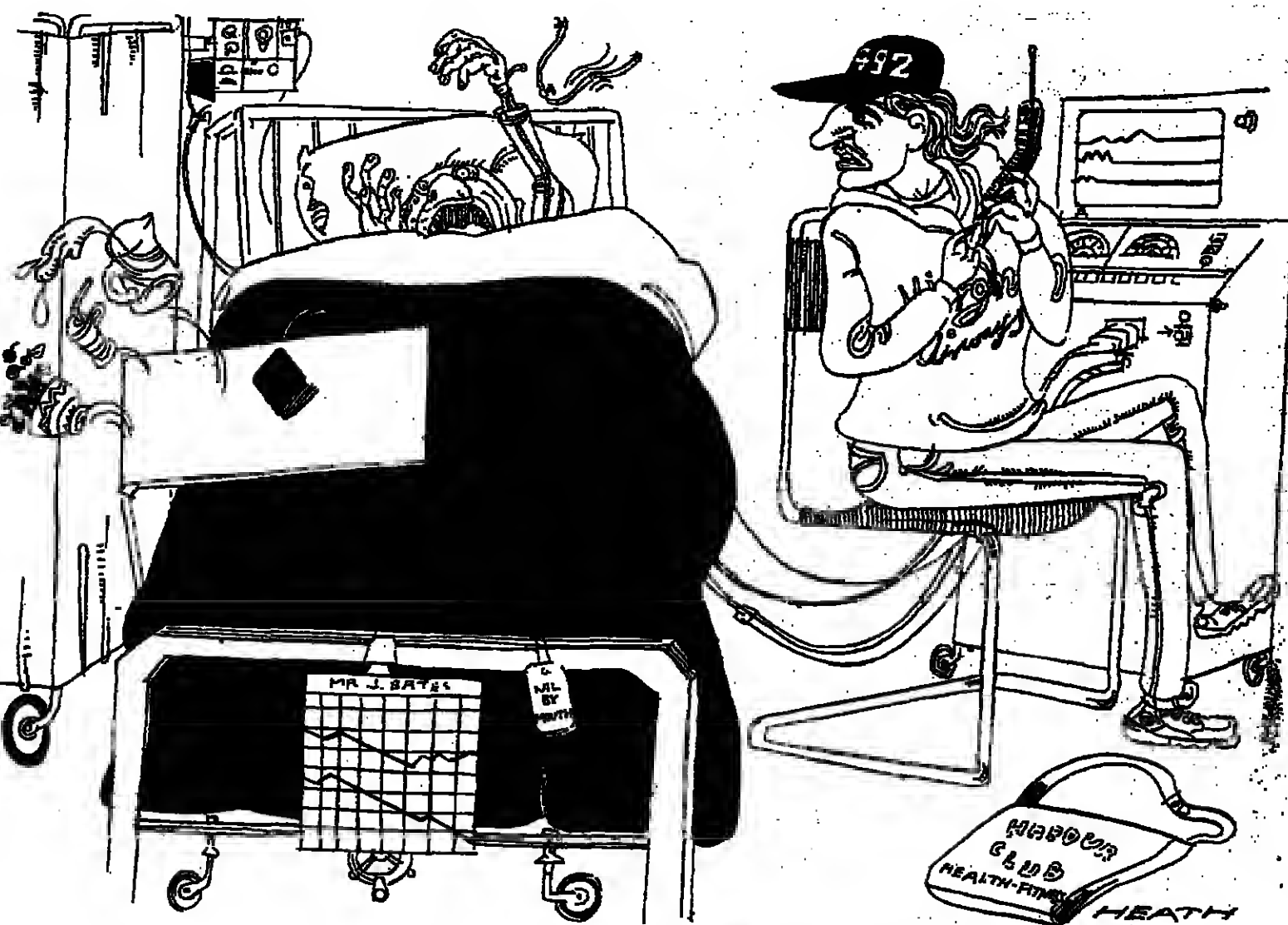
Instead we should create regional fishing bodies – for example, one for the Irish Sea fishermen, one for the North Sea and so on. The arguments would not instantly disappear and the fish stocks would not magically reappear. But it would bring together all those with directly shared interests and it would bypass governments that tend to make agreement on fishing part of broader package deals. In the UK that has too often meant selling out our fishermen.

Fishing may not be a big industry in Britain, but it is vital to the coastal communities that depend on it.

At the Madrid summit this month, Europe's leaders will name the date for the start of next year's long awaited Inter-Governmental Conference. Its urgent task has become the capture of the citizen's heart and mind for Europe. We all applaud that.

Rather than the usual focus on qualified majority voting, we could perhaps spare a little time for some of the small things in life, things about which we feel strongly and to which we can relate. Our fishing industry is one of these. Then maybe Newlyn, Looe, Padstow and Mevagissey, too, can have a working future.

The writer is Liberal Democrat MEP for Cornwall and West Plymouth.



Would you please be quiet! I'm talking to a tabloid!

LETTERS TO THE EDITOR

Home Office adds insult to injury over lone child refugees

From Ms Sandra Singer
Sir: The article "Children sent alone to seek asylum in the UK" (4 December) highlights a humanitarian situation that the British Red Cross has been concerned about for some time.

Many young people arrive in Britain alone, as asylum-seekers or refugees, because of conflict in their country of origin. They often lose contact with their families because communication systems break down in war zones or because they are scared that trying to reach them will bring unnecessary attention to relatives living in sensitive situations.

Consequently, contact with family members may be lost for several years, or even forever.

Next week the British Red Cross launches a special database that will hold information on unaccompanied minors. This means that if any inquiries about a child in the UK are received from family members, via the Red Cross International Mes-

sage or Tracing Servicing Services, contact can be restored more easily. The database will work under the same neutrality that governs all Red Cross activity and the information will be strictly confidential; it will not be accessible to statutory authorities or other agencies.

Yours faithfully,
SANDRA SINGER
Head of International Welfare
British Red Cross
London, SW1
4 December

From Ms Frances Webber
Sir: The Home Office minister, Tim Kirkhope, denounces "as 'immoral' the actions of parents who send their children alone to Britain to claim asylum. Has he considered the immorality of the British Government's actions that have prevented those parents from bringing their children themselves? By visa controls and fines on carriers, the Home Office has made legal travel to Britain for

asylum well-nigh impossible. Faced with costs of thousands of dollars per person for the forged documents or illegal travel required to escape from hell (whether in Somalia, Sri Lanka, Nigeria or Algeria), most can't afford it. To castigate families in such dire straits as immoral for trying at least to get their children out adds insult to the massive injury done to refugees, and to the concept of asylum, by Mr Kirkhope's predecessors over the past decade.

The real agenda behind this manufactured outrage is to provide bogus justification for the most draconian assault on refugees ever: the *Illey-Howard* package of Bill, which requires that abandon victims of war, civil war and oppression be stateless and destitute, and to hallow mockery.

Yours faithfully,
FRANCES WEBBER
Two Garden Court Chambers
London, EC4

From Mr David Blake
Sir: What utter desperation must drive parents to send their children, alone, to foreign countries: perhaps never to see them again. They obviously foresee no hope whatsoever for them at home. But, goodness me, the intolerable annual cost to the British taxpayer is almost two-thirds of the average annual fees paid over the past five years to external consultants by the NHS.

It is heartening to read that the Home Office is planning a crackdown on this "immoral" practice by seeking agreements with some of the main countries involved to stem the flow of unaccompanied children. Some of the regimes concerned will undoubtedly do this very effectively, and may even achieve a final solution to the problem. Whatever happens to Winston Churchill's "open door".

Yours faithfully,
DAVID BLAKE
Stirling

Stop trading with Burma

From Ms Mairead Maguire and others
Sir: The British Government, through the Department of Trade and Industry, is holding a seminar in London on Tuesday this week aimed at stimulating interest in investment and trade in Burma. This seminar is the prelude to a DIT trade mission to Rangoon in February next year.

Despite the welcome release of Daw Aung San Suu Kyi from six years of house arrest, there have been no other positive changes in Burma. In fact, under the brutal State Law and Order Resolution Council, hundreds of political prisoners remain in jail, including MPs elected in 1990, and there have been further arrests. Serious human rights abuses continue, many of them directly linked to energy and tourism projects. Contrary to the British Government's claim that "trade access provides a degree of leverage", increased trade and investment with the military regime only exacerbates suffering in Burma.

The DIT's promotion coincides with Daw Aung San Suu Kyi's firm request that overseas investors should "wait" until peace and democracy have been restored to Burma. In the US, selective purchasing legislation is being adopted by city and state councils who refuse to support the regime.

The recent events in Nigeria are a reminder of the consequences of investing in countries with ruthless military regimes. Unfortunately, this is a lesson that the British Government appears to prefer to ignore. Instead of doing business with the generals, we should be looking at ways to encourage the regime to stop its business of repression.

Yours faithfully,
MAIREAD MAGUIRE (Nobel Laureate), Archbishop Desmond Tutu (Nobel Laureate), GLENYS KNOX (MEP), SIR DAVID STEEL, MP, YVETTE MAHON (Burma Action Group), PATRICIA BARNETT (Tourism Concern)
London, N1
4 December

High-level loo

From Mrs Edmond Broughton-Adderley
Sir: Baroness Thatcher's loo and I are both mortified at my grandson Alasdair's ill-chosen (one might say treacherous) remarks about it at Lucinda Lambton's party (Vicky Ward's diary, 28 November).

High on a pedestal in my drawing room, it has brought me fame, if not fortune. Three appearances on the box (£25 a go!). The late Lord Bath (a keen collector of Thatcher memorabilia) asked if he could use it. Horrified, I told him those days were past. Thwarted, he taunted me, saying he had a roll of her loo paper (unused). I could hardly speak for envy.

The fact that some visitors don't spot it is because it is modestly hidden by greenery. It was Selina Scott who originally suggested it should be used as a *lardière*. Later, my chastity belt and Henry VIII's codpiece may have enlisted more attention, but the loo will, I hope, still be an object of veneration to my great grandchildren.

Yours truly,
EDMOND BROUGHTON-ADDERLEY
London, SW3

Is the First Lady a Stepford Wife?

From Ms Sue Slepman
Sir: I was one of those who, along with Tessa Blackstone (letter, 2 December), participated in the meeting with Hillary Clinton and know that the American embassy expected Polly Tynbee to write about it.

The debate occasionally broke through the social niceties to confront real issues. In one such moment, I asked her why single mothers had become the symbols at the heart of the moral and social debates and the male backlash both here and in the US. Her response was professional and disappointing. It was a well-rehearsed reply, as if for an audience of political foes. It had more to do with avoiding banana skins than engaging with the issues and left no one in a position to probe further.

I do not blame her for this. The pressures upon her have been intense. I felt she was an intelligent woman constrained in a role she would not have chosen for herself.

To accuse her of being a Stepford Wife ("What have they done to Hillary?" 30 November) may be a little unfair, but to see her as fulfilling her destiny in her own right is a lot naïve.

May I please also use this opportunity, for the sake of my colleagues, to point out that I

am the director of the London TEC Council, not the "National TEC Council", although I am grateful that Polly Tynbee wanted to promote me.

Yours sincerely,
SUE SLEPMAN
Director
London TEC Council
London, SE1
1 December

From Ms Sandra Andolara
Sir: It was interesting to read of Hillary Clinton being referred to by Polly Tynbee as a "Stepford Wife". Mrs Clinton may be a lot of things, but a Stepford Wife she definitely isn't – ask anyone in the Republican Party, the Chinese government, the American Bar Association or the Nixon Watergate Impeachment Committee – the list is endless.

It is sad and pathetic that someone of her intellect, integrity and rare good intentions can be maligned by so many people – first, being thought of as a raving feminist and then as a cookie-baking Barbara Bush wannabe. Male politicians change tack every day – it's called public relations. It is another sad fact that one does not win votes from the fiery right moral majority in the US by endorsing equal rights for women and children, and government-subsidised health pro-

grammes. She is only playing the enemy at their own game – and winning quite nicely by all accounts.

Yours faithfully,
SANDRA ANDOLARA
London, NW4
1 December

From Ms Brenda Brod
Sir: Accepted that Hillary Clinton's homily "A view from the White House" is best ignored, the remainder of Polly Tynbee's article addresses not the question of how Hillary can best use her formidable talents but demonstrates how preconceived ideas can flatten a personality as dynamic as Hillary's, even before she has been allowed to speak.

The Stepford Wife image is asked. Isn't what Mrs Clinton dared for – an invitation to converse with English women who might hold similar interests to hers – exactly how all women gather information?

As working women, with children and concern for the future fabric of society, don't we all have the same questions concerning education, health, violence and, yes, single mothers? If Ms Tynbee was disatisfied with the level of discussion, why not do what any good reporter does – ask better questions?

Yours sincerely,
BRENDA BROD
London, NW3

Piling the blame on carpet-makers

From Mr Hugh G. W. Wilson
Sir: The caption under the photograph of the River Stour accompanying your report on allegations of river pollution ("Industry carpeted as pollution poses fresh threat to otter", 29 November) states that the river is "polluted by waste wool". Wool as such has little to do with it and is not the only fibre used in making carpets these days. The tiny quantities of sheep dip residuals cause the problem, and many of those showing up in the Stour arise upstream, probably from farm run-offs.

For a long time, no carpet firm has been allowed to let any industrial effluent run off directly into the river. They discharge into the sewage system

and are subject to tough regulations over what can be accepted at the sewage works. Even though some of the materials causing concern to environmentalists are already at levels so dilute as sometimes to be at the bottom edge of detectability, the local carpet industry has been co-operating closely with the water authorities over what further improvements might be made. Although the water quality of the Stour is not yet all it could be, at least it is not identifiably worse downstream of Kidderminster than above. I hear that great efforts are now being made to improve the quality upstream.

Yours faithfully,
HUGH G. W. WILSON
Executive Director
British Carpet Manufacturers' Association
London, W1
30 November

A dash of Nash

From Mr Peter Hill
Sir: Polly Tynbee, in explaining why women vote Tory ("Women Like Us don't vote Labour", 30 November) might have turned to Ogden Nash for two reasons: Women would rather be right than reasonable and Plus ça change, plus c'est la même chose.

Yours truly,
PETER HILL
Tanworth-in-Arden, Warwickshire

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Royal role models

From Mr Walter Paul
Sir: So, Her Majesty the Queen and the Prime Minister will discuss the Princess of Wales's new role as a roving ambassador for Britain ("PM and Queen to discuss Diana's role", 4 December). I hope they remember that the Princess Royal has been doing quite a good job in that capacity for a few years now, especially with Save the Children, as has the Duchess of Kent, with terminally ill children.

Maybe not a lot of people know that, as the two ladies have probably not had the chance to arrange a television interview with the BBC, or telephone the *News of the World* for a little chat.

Yours faithfully,
WALTER PAUL
Glasgow
4 December

The secret that Blair and Major share

The party leaders broadly agree on European integration. Is this really too dangerous to admit?

In hats on, everybody. A phoney war is starting. Hunker down, gas masks at the ready. Eccew! Keanah! Europhobe attack on Euro-maniac bunker. Dakka-dakka-dakka! Sir Jimmy Goldsmith takes out federalist panzer division in City. Whurr-thump! EMU heavy artillery counter-attack near Shepherd's Bush.

And a nation looks on, bewildered. Goldsmith's UK Referendum Party is mobilising. John Redwood is organising a campaign to persuade British business that a single currency would be a disaster. The Conservative Party is preparing an onslaught against Labour on its federalist agenda. Labour is gearing up to attack the Tories for selling out British interests in Europe. Everywhere people are accusing one another of treason and - worse still - naivety.

Yet on all the main questions, Labour agrees with the Government. And the noisiest anti-Maastricht rebels have probably already won their main points. This is a phoney war because there isn't nearly enough disagreement left to justify the verbal violence being expended on it.

Tony Blair made a speech last Thursday which, in its European passages, could have been given by Malcolm Rifkind, John Major or Kenneth Clarke. He proposed three priorities for the European agenda. First was the speeding-up of negotiations on enlargement. Second was reform of the Common Agricultural Policy. Third was the need to achieve stronger economic growth through more open competition and a tougher approach to unfair state subsidies.

Blair's analysis could hardly be distinguished from those Tory ministers. "Maastricht showed that elites and the

people had become too far separated. The Union is now at a more mature stage. Increasingly, integration will happen by a process of organic growth, where progress is more and more in the hands of businessmen, consumers and ordinary people."

On the single currency, Blair restated the Labour position that "it cannot be forced in defiance of the economic facts." But he went further, saying "it is a major step of integration, not to be taken lightly." Back in March in the Commons, he had argued unequivocally that "if the economic conditions were right" he would be in favour of joining. He dismissed the political objections and the constitutional fears.

Finally, like Major, Blair has left open the question of whether he should promise a referendum. I get the impression that this is being considered by Labour. Both parties are watching the other almost obsessively, thinking like poker players, guessing when to move. So they now have identical European policies? No. Not quite. Labour is in favour of an extension of qualified majority voting on social, industrial and environmental policies. That matters. There's the social chapter, which matters too. There are differences on anti-racist policies. In office, Labour would be more interested in the social and unemployment agendas than the Conservatives are. The tone would be far less nationalistic. None of this is insignificant.

But when it comes to the really big issues - federal destiny or Europe of nations? - yes or no to the single currency? - how much does enlargement matter? - Labour and the Conservatives are now astonishingly close. Labour has recoiled from the more extreme man-



ANDREW MARR
Columnist of the Year

It is a shock to find politicians hiding quite good news

ifestations of its conversion to Europe in the Eighties, while the Cabinet has kept the more extreme anti-Brussels Tories from winning any final victories.

So they have converged towards a position which assumes that federalism is waning, and aspires to wane it some more. They are right. Enlargement means that it will become progressively harder for the Commission to exercise the kind of control it has become used to, because the two basics of Europeanism, security and money (or fear and greed), will operate very differently in future.

Security, or fear, was the fundamental reason for European integration in the first place. Now it is the fundamental reason for pushing the Union to the East. But whereas security in the Cold War era was compatible with a tight, centrally organised Western European bloc, it now requires a larger, more diverse and hence less bureaucratically controllable Europe.

Money, or greed, will operate differently, too. The old Europe may have been designed by political idealists, but it was built by subsidy. Yet now, if German taxpayers are asked to subsidise central Europe as well as southern Europe, they will simply revolt. The payments for Mediterranean motorways and olive farmers cannot be replicated for Slovene conference centres or Polish raspberry farms.

Nor will a single currency provide the new political magnetism. Any hard core of single-currency countries will be surrounded by a wide circle of competitive devaluers that will not do very much for the European spirit.

Those simple assumptions about the new Europe are more understood here than on the Continent. They underpinned Tony Blair's speech. But the politician who has been most eloquent and compelling about them is John Major. Party politics dictates that both these men will try to persuade the country that the other is deluded - that there lies a huge gap of belief and analysis between them. And it just isn't true.

The Conservatives will label Labour as a dangerously federalist party, happy to go along with whatever Franco-Germania requires. It ain't. Labour will pretend that the most anti-European language of the Tory right is representative of the central thrust of government policy. That ain't, either.

Much synthetic indignation will be expended. Yet in fact the most substantial difference between them is more about party management. When the Conservatives say that Blair has ruthlessly moved his party to positions that they held out first, they are quite right. When he retorts that the Tory divisions have dangerously hampered

the effectiveness of Britain in Europe, that's true, too.

But it doesn't really matter - not compared with the fundamental agreement about the state of Europe and the best future for it, a consensus that is being, in effect, hidden from the electorate. In a country with a different electoral and political system, it might be something we were rather proud of.

Not here. Here, we're ashamed of it. And the situation will be further complicated and hidden by the activities of the anti-Maastricht right-wingers trying to scare us into believing that monetary union is an imminent problem. Goldsmith and all imply that there is a great anti-democratic conspiracy that will steal away our pound.

Yet from Neil Kinnock in Brussels to Thatcherites in the City, from Paris to the Bundesbank, the likelihood of Europe making it by 1999 is waning. Nor, more importantly, does it seem credible that any government here would abolish the pound without either a referendum or a further general election campaign devoted to the issue. It would be too big a risk.

So we are in this extraordinary, perverse situation, where the main parties share a more level-headed and realistic assessment of Britain's future in Europe than they are willing to admit, while on the fringes of politics, wild shrieks of obsolete warning are rending the air. We are used to politicians hiding bad news. It is a shock to find them hiding quite good news.

Political columnists are employed to rouse the reader to worry or alarm. But on this issue, the more the smoke and noise, the more I dream of emulating Lord Whitehall and going round stirring up apathy.

A lesson in the en suite science

Science is not just about the big things, like evolution, the Big Bang, genetics, being called Dawkins or Hawking and going on *Start the Week* to talk to Melvyn Bragg about the big things like evolution, the Big Bang, genetics, etc. It's also about the small things in life, like bathrooms.

Professor Rudolf Reinhardt has specialised all his life in the science of bathrooms. He has never been asked on *Start the Week* to talk about it. But he is not bitter. He understands why Melvyn Bragg never answers his letters. He thinks that Melvyn Bragg probably does not believe there is such a thing as the science of bathrooms.

And is there such a thing? "Oh, yes," he will tell you, "there certainly is a science of bathrooms. There are things that happen in bathrooms which happen nowhere else in the world. If you ignore bathroom behaviour, you exclude part of the natural world."

Let's get this straight. Are you talking about the way people behave, or the way things behave in bathrooms?

"Not people," shrugs the professor. "Human behaviour baffles me. It does not interest me. What interests me are things like the behaviour of feet in the shower. You know that if you stand in a bath to have a shower, the underside of the feet sometimes stick to the enamel of the bath? When you reach for the taps or the soap, you take a step forward and fall over because your feet are stuck to the bath!"

Yes, I had noticed this before. But I thought I was the only person it happened to. "No, no. It is general. But because it happens in the bathroom, nobody mentions it."

Well, basically, it is some form of spontaneous suction that occurs when dry skin is surrounded by wet precipitation and meets another dry object. Or maybe the combination of water and dirt on the foot makes a glue solution. Or maybe...

You mean, you don't know? "That's right. We don't know. Nor do we know why it is always impossible to get the mix of hot and cold water right in a shower. Always!"

But surely the mix is sometimes right? "Oh, sure," says Professor Reinhardt, "but it never stays right. Have you not noticed that when a shower seems right it gradually gets hotter or colder?"

Yes, but that is because someone else in the house has just turned a tap on. "No, my friend. We have experimented with empty houses, with people taking showers all alone, and even then the temperature changes."

I see. What other bathroom phenomena are there? "Many, many. For instance, if Professor Reinhardt cannot get on Melvyn Bragg, he will be available for consultation here, so please let us have all your queries about bathroom science."

there is the strange process whereby, when we step out of a shower, there is always a patch of soapy foam left somewhere on our bodies, no matter how well we have rinsed ourselves."

Yes, very true. "I call this Reinhardt's Syndrome."

Why? "Because I discovered and named it."

I mean, why does it need a name? "So that I will be remembered when I am dead. Long after I am gone, people will be about to step out of the shower and they will stop and say, 'Hold on! Reinhardt's Syndrome! And they will locate one more patch of foam. Incidentally, this also applies to shaving. There is always one more bit, usually on the earlobe. And if there is no foam, then there is always one bit of stubble you forgot to shave.'"

It isn't really on the same level as Alzheimer's Disease and Hodgkinson's Disease, is it?



MILES KINGSTON

As Labour unveils plans to raise classroom standards, Michael Barber offers a critical preview

Today's lesson: excellence

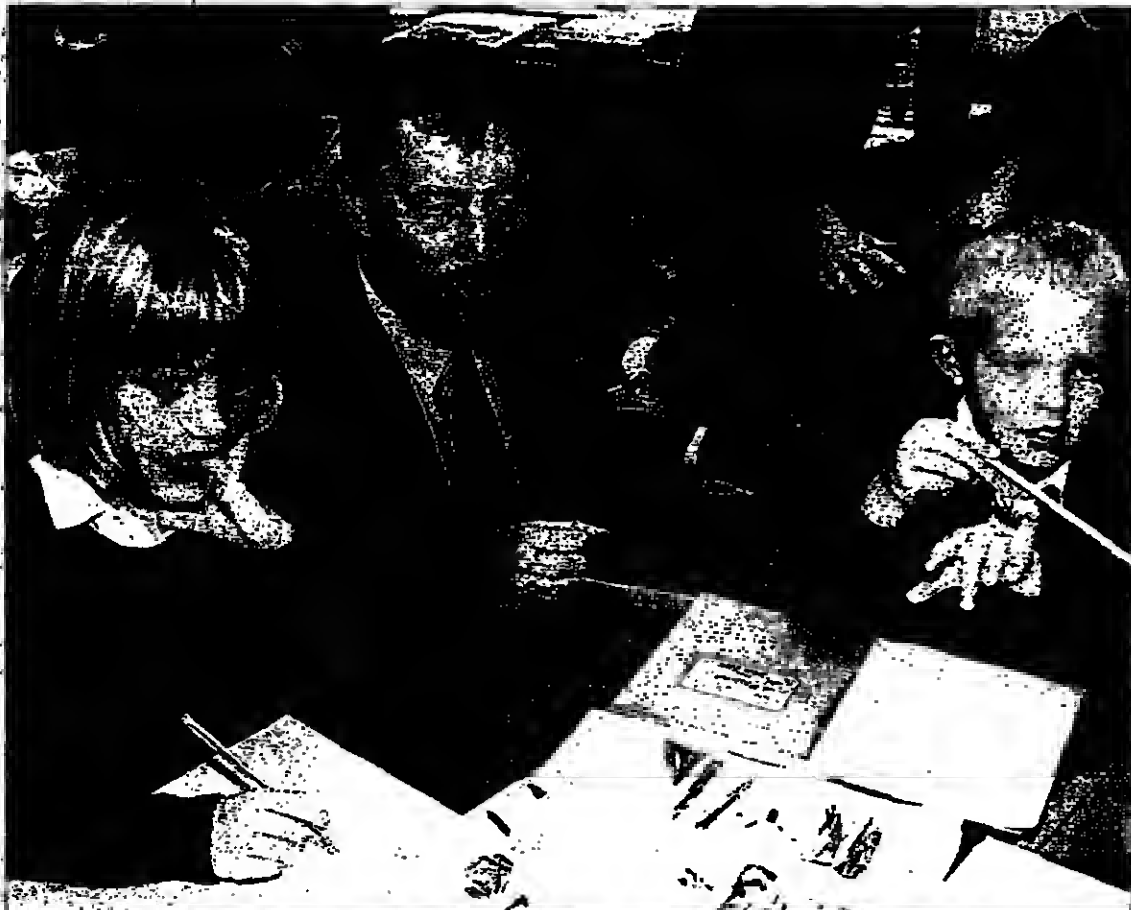
Today, the Labour Party publishes its policy document on standards in schools, *Excellence for Everyone*. The document takes Labour's hold on territory, which for much of the past 10 years has been dominated by the Conservatives. A few years ago talk of standards, excellence and dealing with failure were almost taboo in Labour circles. The Blair revolution, led in education by David Blunkett, has changed all that. New Labour will insist on high standards. Education, Tony Blair says, will be the passion of his government. For years Labour has talked about creating successful schools for everyone, only this year, by facing the tough question of how to deal with failure,

On getting change from teachers, a balance of stick and carrot is proposed

has it begun to show it means it. Behind this new sense of purpose is Labour's recognition of the economic and social imperatives of the late 20th century. Its leaders know that much higher standards of education are an essential precondition of a successful British economy and an improved quality of life. As Tony Blair put it at Labour's conference: "Education is the best economic policy we've got."

The ideas in *Excellence for Everyone* have been developed over the past 12 months in a series of speeches by Blair and Blunkett. Until mid-summer their focus was on deciding what to do about opted-out schools. Once their proposals for bringing those schools within the local authority framework had been widely welcomed in June, they moved on to the task of staking out a new agenda on standards.

Excellence for Everyone is certainly ambitious, to judge by the language it uses. It talks about "a crusade to raise standards", "a decade of sustained improvement" and creating "a new Britain which can hold its head high in a modern world". It envisages an education system in which many more people will succeed in getting GCSE, A-level and vocational qualifications. The tone seems designed to co-opt teachers, parents and governors, for the first time since the war, into a national movement to transform education. But, rhetoric aside, what of the detailed proposals?



A passion for learning: David Blunkett has led Labour's revolution in attitudes. Photograph: Neil Munns/PA

The document sets out to encourage schools to improve themselves through setting targets, raising the status and levels of performance of teachers and involving parents as co-educators. This would undoubtedly require additional investment. While the document identifies money for smaller classes in infant schools, the core funding of education remains to be established.

On the question of how to get the necessary results from those who will have to implement the policy - teachers - the document proposes a judicious balance of pressure and support, stick and carrot. Thus Labour promises teachers support in the form of a reconstruction of their profession, to give it greater status. There would be a General Teaching Council to speak for teachers on educational issues. There would be new advanced pay grades to enable teachers to gain promotion and recognition without necessarily moving into management.

Other people - from business, for example - would be encouraged to become teaching associates. There would be greater para-professional support from classroom assistants and smaller classes in infant schools.

This is an indication that Labour sees improvement in nursery and primary education as the central priority. Given the evidence published last week of falling reading standards, this emphasis is likely to be welcomed.

The pressure on teachers would be generated by requiring all schools to set targets for improvement and by insisting on the publication of performance data and regular inspection. Failing schools would be closed and, if necessary, reopened with a "fresh start" under new management. The process for removing a consistently poor teacher would be streamlined.

More pressure is promised on parents, too. The document proposes establishing minimum levels of homework for children at different ages. This

will require parents to insist that *Neighbours* is turned off. There would be home-school contracts obliging parents to sign up to supporting their child and the school. The rights that parents have acquired over the past decade are to be balanced by new responsibilities.

These ideas give today's policy proposals a coherence which has sometimes been lacking in the past. In contrast to the Government's clear drive for choice and diversity, Labour has often appeared to offer either reactive criticism or an unconnected assortment of policy wheezes. New Labour, on the other hand, has what Tony Blair would call a project: the creation of a modern public service in which individual schools have substantial autonomy and are held publicly accountable. Schools, staffed by a reinvigorated, constantly improving teaching profession, are being asked to lead the crusade.

In advancing this agenda, Labour policy builds on what the Government is already doing. This is further evi-

dence of new Labour's willingness to consider ideas on their merits, regardless of ideological origins. The policy also draws on the experience of the more successful Labour-held local authorities, just as much of the Conservative agenda of the late Eighties was first tested by councils such as Croydon and Wandsworth.

The influence of Birmingham, where Tim Brighouse, the chief education officer, and Andy Howell, chair of the city's education committee, have spearheaded the transformation of the education service, is persuasive. In Birmingham each school has set its own improvement targets, five-year-olds are assessed on entry to school, there is a

Failing schools would be closed, and maybe reopened under new management

city-wide literacy strategy and a constant emphasis on the importance of teachers improving their own skills.

Not all Labour LEAs are as enlightened as Birmingham. As opted-out schools enter local-authority jurisdiction, there are bound to be tensions. And once central government requires local authorities to set targets, and then inspects them, those tensions will be exacerbated. A Labour government will face tough decisions if a series of school inspections were to suggest that LEAs were not having a positive impact on standards.

It is also worth asking whether today's policy proposals will ultimately prove radical enough. The 21st century will usher in the "Learning Society". If the phrase is to mean anything, it must surely mean a society in which everyone is an active learner. Future governments will have to think in terms of widening the range of learning opportunities for young people outside school, especially in disadvantaged areas. Today's document proposes after-school study centres, but that can only be the start.

The creation of a Learning Society in this country will require a rethinking of our whole attitude to the provision of education. *Excellence for Everyone*, if implemented, would begin that process.

The writer is professor of education at the Institute of Education, University of London

by Tony Reeve and Steve Way

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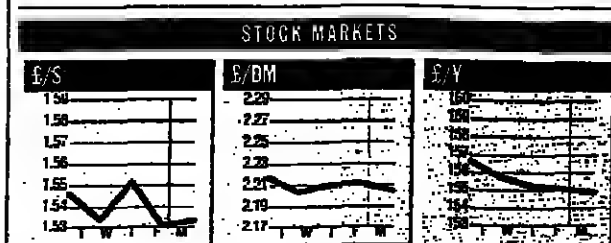
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MARKET SUMMARY



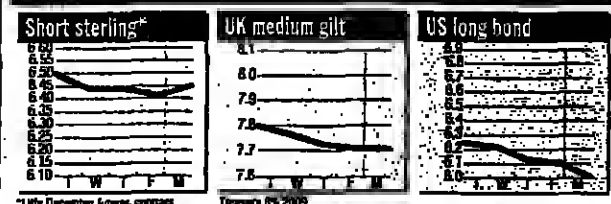
Index	Close	Day's change	Change (%)	1995 High	1995 Low	Yield (%)
FTSE 100	3669.70	-10.70	-0.3	3690.40	2954.20	3.91
FTSE 250	3969.10	+5.40	+0.1	3991.30	3300.90	3.48
FTSE 350	1817.90	-3.60	-0.2	1821.50	991.00	3.82
FT Small Cap	1954.26	+1.83	+0.1	1993.11	1678.61	3.31
FT All Share	1791.78	-3.17	-0.2	1794.95	1489.28	3.78
New York	5100.86	+13.73	+0.3	5105.92	4693.70	2.30
Tokyo	18897.37	+64.27	+0.3	19884.04	14485.41	0.80
Hong Kong	9940.63	+78.08	+0.8	10032.93	6967.93	3.90
Frankfurt	2252.16	-8.50	-0.4	2317.01	1910.96	3.99
Paris	1774.86	-46.05	-2.5	2017.27	1700.58	3.25
Milan	8804.00	-59.00	-0.7	9911.00	8804.00	1.79

*New Japan Index & Graph at 1330 hours

FTSE 350 companies (including investment trusts)

Rises	Falls
Ladbrokes Group 159 15 11.2	British Sky Bt 397 31.5 7.4
Racal Electronics 270 17 7.7	Eastmondia Plc 85 6 6.9
Sin Wales Elec 1165 57 5.1	Calltech Group 575 24 4.0
Welsh Water 703 28.6 4.2	Bt 367.5 14.5 3.8
Tratagar House 25 1 4.2	RMC Group 1017 38 3.4

INTEREST RATES



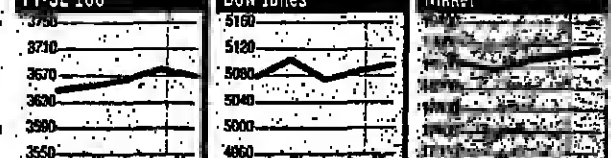
*Source: Bank of England

Money Market Rates

Index	1 Month	3 Month	6 Month	1 Year	2 Year	3 Year
UK	6.69	6.31	7.52	8.54	7.68	8.50
US	5.88	5.50	5.84	7.84	6.08	7.94
Japan	0.56	0.38	2.66	4.68	-	-
Germany	4.13	3.81	6.09	7.31	6.81	-

*Source: Reuters

CURRENCIES



*Source: Reuters

IN BRIEF

Amec rejects latest Kvaerner offer

The besieged construction group Amec yesterday rejected a 90p share offer for its preference shares from Norwegian rivals Kvaerner. The lower than expected cash offer came just under a week after Kvaerner bid 100p a share for Amec's ordinary shares. It takes the value of the bid to £358m against expectations of £375m. Kvaerner is offering an alternative of 8.125 per cent unsecured bonds valued at around 92p per preference share which it said provided shareholders with "a substantial uplift in the credit backing to their investment". Amec described the offer as inadequate.

Market shrugs off monetary growth

The monetary base rose by 0.7 per cent in November, taking the annual rate of growth up to 5.6 per cent. The rise gives Eddie George some extra ammunition if he wishes to resist a call by Kenneth Clarke for a cut in interest rates when they meet on December 13. But according to Nigel Richardson, head of bond research at Yamachi International, "the markets shrugged it off because it was seen as carrying neither inflationary implications nor policy consequences."

London in the lead

The City of London is confirmed as Europe's leading financial centre - but the US investment banking giants that operate there outranked the Brits in the latest investment analysts' survey, out yesterday, writes John Wilcock.

Racal confirms BR telecoms talks

Racal confirmed talks with British Rail on the acquisition of its telecommunications arm. British Rail Telecommunications is thought to be worth £100m to £150m and is one of BR's biggest non-passenger operations. Other bidders are believed to have included Nynex and NTL, which operates ITV's transmitters.

Lower expectations for Williams

The locks to heaters group Williams Holdings warned that second half margins on its gas fires and electric blankets would be hit by the unusually warm weather. The group pointed the market towards the lower end of full-year forecasts, which range between £225m to £235m, as it unveiled its third quarter trading review. The flotation of Cortworth last month would add an exceptional profit of around £9m, but overall the company said trading had changed little since its last update.

Individual share stakes worth £150bn

The proportion of shares owned by individuals fell continuously between 1963 and 1989, and since then has held at around 20 per cent, excluding unit trusts. Individuals' total share holdings in UK companies were worth £154.6bn last year, the highest value ever recorded by Central Statistical Office surveys. A report published yesterday on the distribution of share ownership in UK listed companies shows the value of shares as £762bn.

Defensive manoeuvre: Analysts unimpressed by break-up plan, while the slanging match continues

Forte announces plan to split hotels from restaurants

JOHN SHEPHERD

Forte yesterday proposed a radical break-up of its hotels and roadside restaurant businesses into two parts as a main plank of its defence against the hostile £3.3bn takeover bid from Granada.

The plans involve floating the restaurant operations, encompassing Little Chef, Happy Eater, Welcome Break and the Cote France motorway service stations, as a separately listed company.

Current shareholders in Forte would then own one share in the restaurants business and one share in the hotels operation, which would continue to be headed by Sir Rocco Forte. The company also plans to dispose of its 68 per cent but limited voting stake in the Savoy group, which it has tried unsuccessfully to take fully under its wing after 13 years of bitter fighting.

Analysts reckoned that the restaurants business could be worth between £1bn to £1.2bn. They were unsure, however, how much of Forte's £1.3bn of debts would be apportioned to the business.

Investors and leisure analysts said the plans alone, and the disclosure that Roberto Mendoza, vice-chairman of JP Morgan, had been recruited to the defence team, were unlikely to be enough to stop Forte slipping into the clutches of Granada. Shares in Forte fell 4p to 338p, while Granada, which has offered four of its own shares plus £23.50p in cash for

every 15 shares in the target, gained 2p to 651p.

One analyst, who declined to be named, said: "I'm not surprised by the plans. It is one of the panic buttons that Forte had to press. I don't think it is enough for Forte to remain independent... unless they come up with further plans to sell off some trophy hotels." Forte has several trophy hotels in London, including the Grosvenor House and the Waldorf, and several abroad, including the lavishly refurbished Eden in Rome.

Gerry Robinson, on Forte's plans: 'Like the captain of the Titanic saying "we really planned to hit the iceberg"'

Gerry Robinson, chief executive of Granada, also dismissed Forte's plans to demerge as being "like the captain of the Titanic saying 'we really planned to hit the iceberg'". Sir Rocco, Forte's chairman and chief executive, said the plans had been around for some time. "The bid from Granada enabled us to accelerate our strategy. He [Mr Robinson] has done a good job marketing our restaurant business."

The Forte defence plan will be presented to Forte's main institutional shareholders in Scotland today. Mr Robinson believes Sir Rocco and his team are wasting their time. "It's a huge mistake. We think people will clearly see that," Mr Robinson said. "Suddenly in the last 10 days it [demerger] all swings into action, and has apparently been on the cards for months. It seems odd to me."

Sir Rocco said SBC Warburg, the merchant bank, had been formulating the proposal for months and in August "we really took a decision. We would probably have announced it next April with our full-year results."

Sir Rocco, who declined to give specific financial details of the plans, added: "The demerger is a natural progression of what we've been doing in the last three years. When the White Hart and US Travelodge chain of hotels are sold, we will be down to two businesses - hotels and restaurants."

"We will be the largest pure hotel company listed on the Stock Exchange. We will be a very sexy vehicle."

His views were lost on Mr Robinson who, it emerged yesterday, saw his salary rise 22 per cent to £700,000 last year. He said: "When we heard it [the demerger plan] we were pleased about it because it highlights the value of the offer very clearly to shareholders."

"People think of demerging conglomerates as a good thing, but catering and hotels is marriage stuff. The similarities are



Sexy vehicle: Sir Rocco Forte sees the split as natural.

Photograph: Geraint Lewis

huge. Everything about mid-market hotels and roadside restaurants from buying through to marketing goes together. It is a surprising and wrong move to make."

What Mr Robinson has to say, however, carries little weight with Sir Rocco, who struggled to confine his thoughts to business rather than to personal attacks on his

opposite number. Sir Rocco said: "The values we are creating are higher than his highest offer. There is a limit to what his shareholders will go to."

Comment, page 21

Hogg and Huismans go in Courtaulds shake-up

TOM STEVENSON

Deputy City Editor



*Source: Reuters

Courtaulds will lose its chairman and chief executive next year in the biggest shake-up at the chemicals group since it demerged its textiles operation in 1990. Sir Christopher Hogg and Sipko Huismans will step down after the company's annual meeting in July.

Sir Christopher's departure had been expected for some time. He is 59 and has been a non-executive director since stepping down as chief executive in 1991, after 12 years in the job.

But Sipko Huismans, Courtaulds's Dutch-born, South African-educated chief executive, had been expected to stay another couple of years.

One analyst said: "I am a little surprised that Mr Huismans decided to throw in the towel, but he was obviously not the type to be a non-executive chairman. The City view is that he has been too optimistic and failed to deliver over the last few years, but I don't think he was forced out."

The top jobs go to Sir David Lees, until recently chairman and chief executive of engineer

GKN, who takes the chair, and Gordon Campbell, a Courtaulds

man all his working life and currently Mr Huismans's deputy. Explaining his decision to go early, Mr Huismans said: "It would have been unreasonable for the new chairman and I to have to learn to live together for maybe only 12 or 18 months. It is an almost predictable consequence of the Cadbury-imposed split that the two would leave together."

Mr Huismans has been openly critical of the recommendations of the Cadbury Committee, which brought him

into conflict with Postel (now

Hermes), the Post Office and BT pension fund. Postel voted against his re-election to Courtaulds's board because of his unwillingness to reduce the duration of a three-year rolling contract.

The two events are understood to be unrelated. One reason Mr Huismans gave for his departure was that, at 55, he is still young enough to take on another high-profile job.

Although there will be no formal severance payment, he is believed to be negotiating compensation to make good the

shortfall in his Courtaulds pen-

sion. It is not thought there will be other compensation for loss of his salary which amounted to £328,000 in the year to March 1995. Sir Christopher was paid £105,000 as chairman last year. Mr Huismans also has 195,000 share options although only 50,000 of these would be worth exercising at the current share price. The strike prices of the remaining options range as high as 555p, compared with yesterday's close of 395p. Mr Huismans and Sir Christopher have spent most of their working lives with Courtaulds.

Moore's family 'backs new bid'

NIGEL COPE

Sir David Alliance, the Coats Vipeles and N Brown chairman who is leading a £1.1bn offer for the Littlewoods group, is believed to have secured support from key members of the controlling Moore's family as speculation grew that rival offers were on the way.

Sir David met Littlewoods chairman Leonard van Geest in London where he confirmed his offer to buy the entire group in partnership with Iceland, the frozen food chain. The discussions were described as "friendly" and "constructive" and further meetings with Littlewoods executives are scheduled for next week.

Littlewoods yesterday advised shareholders to wait for a review of the company's options which is expected to take some months. Sir David's offer will probably be discussed at the company's emergency meeting on Thursday along with the rival

£1.2bn offer from Barry Dale, the company's former chief executive. It appears increasingly unlikely that the family will support the Dale bid.

Donatella Moore, the daughter of Peter Moore, who sold his stake in the company last year - is acting as a link between Sir David's consortium and other members of the family. She and her brother Alexis speak for a significant percentage of the group's shares and are thought to be willing to listen to offers.

James Suensoo Taylor, another family member of the board, is believed to favour focusing the company on the high street stores - and possibly the football pools - rather than the home-shopping which Sir David is keen to buy and merge with his N Brown group. If it is not possible to gain control of the whole group, it is understood that Sir David will attempt to buy only the home shopping division.

Investment Column, page 22

Labour queries Young pay-off

DAVID HELLIER

The Labour Party yesterday demanded to know whether Lord Young of Grahamam, the former chairman of Cable & Wireless, had received any remuneration from the company offshore where it would be subject to lower rates of interest than in the UK.

As the mystery over Lord Young's pay-off negotiations continues - Lord Young is reported to be pursuing a £2.5m pay-off in spite of earlier claims that he had no contract with the company - Nigel Griffiths, Labour's consumer affairs spokesman, wrote to Ian Lang, President of the Board of Trade, asking him to investigate the propriety of a letter apparently signed by the late Lord Sharp, the chairman of Cable & Wireless, to Lord Young on his appointment.

Cable & Wireless yesterday said it could not comment on the subject of Lord Young's pay-

off. It dismissed stories of offshore tax payments or a secret letter as "sheer speculation".

One of Lord Young's friends said yesterday that discussions were going on. "But they do not involve a letter from Lord Sharp," he said. The Sharp letter has become the centre of controversy since Lord Young, who was deposed two weeks ago as chairman, has reportedly referred to it to support his pay-off negotiations. Yesterday Mr Griffiths wrote to Mr Lang at the DTI saying that he was "very concerned about reports of the contract which Lord Young, the former chairman of Cable & Wireless, claims to hold."

"I understand that this constitutes a letter from the late Lord Sharp, the terms of which do not seem to have been revealed to other board members or shareholders in the company."

Accountants say taxpayers in Hong Kong would broadly expect to pay 15 per cent in tax at higher income levels.

Lloyd's names face 'slow ruin'

JOHN EISENHAMMER

Financial Editor

Hard-line names yesterday said many faced slow ruin at the hands of the Lloyd's rescue plan, instead of its claim to offer release from their past traumas, and that the best solution would be to close the insurance market to new business.

The names, who represent some of the hardest hit, presented yesterday a 24-page alternative to Lloyd's own reconstruction and renewal plan, arguing that their own proposals

take more account of the interests of those individuals who have suffered enormous losses in recent years and less of the professionals keen to keep the insurance market functioning.

The Lloyd's plan to hive off all its old policies into a giant reinsurance company called Equitas, into which names would be required to pay a final premium to end their liabilities, was criticised as running the serious risk of making matters worse for too many long-suffering names. Alan Porter, a leading names activist, said: "The Equitas route is not a guarantee of giving names finality. Rather, it is in danger of ruining another 5,000 names in an unnecessary way."

The key criticism of the alternative proposals, presented yesterday by the Lloyd's Names Associations' Working Party, is that Equitas, in the form of the premium demands to names, crystallises immediately some £3bn of losses. This will place an unacceptable drain

on names' financial resources, the document stated.

The alternative names also cast doubt on the ability of Lloyd's to quantify the total losses that all the insurance market's old policies could be liable for, and whether Equitas can be adequately reserved. They also question whether, in the light of the difficulties afflicting negotiations with a whole range of insurance market participants, enough money can be found to make it attractive for names to settle on Lloyd's terms.

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Forte's adopted strategy follows the fashion



Though this might be a step in the right direction, what we know of these plans so far is not going to do the trick

For a company that claims to have been thinking seriously of a radical breakup for some months, Forte is remarkably thin on detail about the de-merger of its restaurants chain and other disposals. It seems doubtful the group would ever voluntarily have ceded empire in this way had it not been for Granada's hostile £3.2bn takeover bid. Disposal of the Savoy stake, which by Sir Rocco Forte's own admission is not going to be easy, is a reversal of what Forte has been striving for over many years. While it is true that this particular crusade was a strategy inherited from his father, Lord Forte, it seems hard to believe Sir Rocco would have called off the 13-year siege without the Granada rocket.

But let's be charitable and assume this is not the panic reaction it appears. Is this the right way forward – and is it enough to see off the Manchester invaders? Little Chef, Happy Eater and Welcome Break would together make an excellent standalone company, but they would probably be worth more in a series of trade sales. Granada itself might be in the queue if it were not bidding for the whole shebang. Indeed, as Granada is quick to point out, the whole concept of this demerger is flawed.

Breaking up is the fashionable thing these days. There are plenty of investment bankers making a good living out of unbundling the deals they set up in the 1980s and before. Fine, when it involves tractors and biscuits, but hotels and catering? Surely

these are one and the same business? The demerger strategy might have been a little more believable had it been the up-market hotels that were being groomed for a separate quote.

To demerge the Little Chels from the Travelodge, many of which are on the same sites, seems commercially a much more contentious approach. Furthermore, it goes against the play Forte itself made of the expansion of Travelodge three years ago.

No, though this might be a step in the right direction, what we know of these plans so far is not going to do the trick. The bid is far from over yet and it would be wrong to think of this as Sir Rocco's last throw of the dice. Forte's defence document – expected to concentrate on trying to reverse the perception that Sir Rocco has been a failure as a chief executive – has yet to be published and it can be reasonably assumed it will add more twists to the tale. A full revaluation of the company's assets and a profits forecast is even further down the line. Nonetheless, Forte still has an uphill struggle judging by soundings taken among its big shareholders.

Leaving Courtaulds in better shape

When chief executives leave their posts early – without another job to go to and a stack of out of the money options – the reasons presented through official lines rarely

hear a great deal of scrutiny. The old balance about wanting to spend time on other interests or their families is simply code for poor old Smithers not being up to the job.

On the face of it the justification for Sipko Huisman's early exit from Courtaulds raises the usual eyebrows – it looks just a little too neat and well-rehearsed to hold much water. It wouldn't be fair, the line goes, for the new chairman, Sir David Lees, to have to work out a modus vivendi with an old Huisman – only to lose him after 18 months and have to start all over again with his replacement.

But this time the cynics may be looking too hard for a story. If any FTSE 100 chief executive could say in all seriousness, "It's a bit early but I'm only 55 and I'll see what turns up", Sipko Huisman is he. This is a man whose desk faces out of the window because he "likes to see the sky and the grass". There is no point, he has always maintained, in having a bit of money if you don't spend it – in his case on a yacht and a couple of houses. And if he believes that, with his mentor Sir Christopher Hogg moving on, he might find it hard to get on with the new man Sir David Lees, he is probably right. Sir David, patrician, diplomatic, financial, is the antithesis of Sipko, the roly-poly rebel with a passionate belief in Britain's future in Europe and monetary union. Who can blame him for thinking that sort of courtship too much like hard work.

In some ways he leaves a company in better shape than he found it, better focused and with a bright star in the new wonder fibre Tencel. But the new team has a job to do. Since the textiles arm was spun off in 1990, Courtaulds shares have underperformed the rest of the market by a fifth. More worrying, they have lagged boring old JCI by 10 per cent.

A successful marriage second time around

The day after Swalec was privatised five years ago, Welsh Water snapped up 10 per cent of the shares, and began making indecent proposals about collaboration. A sparky Swalec fought off the wet kiss and the reservoir bosses eventually bowed out of the shareholder register, bloody but unbowled.

With the benefit of hindsight, this was clearly a mistake – given what has happened to Rec share prices in the meantime, and the way Welsh wasted cash on other diversifications. But for Swalec, the first ever approach to a Rec did have a salutary effect. It concentrated on raising efficiency and shareholder value. Though its hilly territory brings high costs that look poor in the league tables, in efficiency improvements and share price performance Swalec has been one of the best in the sector. Welsh has had to offer a top price to secure agreement.

Andrew Walker, the chief executive who leaves with a payoff worth nearly £1,000 a day for his two year tenure, will no doubt be crucified as a fat cat, but for shareholders he has earned every penny and more. Welsh will become the second combined electricity and water utility to emerge this year, and can claim to have thought of the idea well before North West Water, the empire builders of Warrington.

The parallel suggests that there is no case for a monopolies reference, though in fairness Welsh really ought to change its articles, which currently ban holdings above 15 per cent.

The financial gains from higher gearing and tax efficiency are unarguable benefits for Welsh shareholders. The jury is out on the claimed operational efficiencies though the plans, on first exposure yesterday, sounded as if they had more bite in them than North West's.

Swalec shareholders can meanwhile say yes to a decent offer and leave somebody else to worry about whether it works. There is a slight bitter taste for small shareholders, which Swalec has in spades. Swalec's previously announced £1 a share special dividend is to be included as part of the offer, giving tax exempt institutions a tax credit of another 25p a share. Once again, the exchequer is helping lubricate the wheels of a bid and underlining the point that these days, shareholders are a two class society.

1,600 Swalec staff to share £35m in takeover bonanza

PETER RODGERS
Business Editor

More than 1,600 staff at Swalec, the South Wales electricity distributor, will make a £21,000-a-head profit in a £35m bonanza on share options in the wake of yesterday's agreed £872m takeover by Welsh Water. But 900 jobs are likely to go.

Andrew Walker, chief executive of Swalec, will quit with a payout expected to be around £700,000, in pay and options.

The agreed takeover deal, which will form Britain's second joint water and electricity utility, brings a £35m bonanza to members of Swalec's Share-save scheme.

Options become automatically exercisable after a takeover, though Welsh Water is expected to tell staff they can avoid a substantial tax liability by agreeing to transfer the Sharesave scheme to the new group. However, staff were yesterday far from overjoyed because the share options profit came as more job losses loomed.

Before leaving London for Cardiff to brief staff, Mr Walker said they were "very dependent" at the news of the

takeover, which came after Swalec's board fiercely rejected an informal offer of 916p a share last Thursday.

The company is expected to lose about 900 jobs in total from the 5,000 in the core water and electricity businesses, excluding offshoots such as contracting.

Of these, 600 are already planned to go from Swalec and Welsh Water under existing management plans, drawn up to cut costs before the takeover talks.

The merger itself is expected to lead to the loss of about 300 additional jobs, as a joint services company is set up, employing about 700 staff. Welsh Water said that about 40 per cent of the controllable costs of the two regulated businesses overlapped. It is also thought the two corporate headquarters in Cardiff are to be merged.

Rhodi Morgan, Labour environment spokesman in Wales, demanded a Monopolies Commission reference because Welsh Water is permanently protected from takeover by a 15 per cent limit on individual shareholdings. He said there were questions over a bid-proof company taking over an un-

protected one. Iain Evans, Welsh Water's chairman, said there would be no rebate for customers, but he promised that as cost savings came through the group would look at how to give them some of the benefit in price or extra investment.

The change of heart at Swalec came after Welsh came back with another offer on Sunday morning of 940p a share – worth 965p to pension funds because of a tax rebate – with a cash alternative of 930p.

The offer is made after excluding the value of Welsh Water's National Grid shares, which are about to be handed back to shareholders and are worth 194p each to Swalec shareholders. Swalec shares closed at 925p, excluding the Grid.

Swalec shook hands on the deal at 9pm on Sunday and the formalities were completed at 2.30am yesterday morning. Mr Walker said the offer met demand for a price "well north" of 900p to secure agreement.

He said he had been asked to leave by Welsh Water because there was no room for two chief executives.

OfTel turns screw on BT for cheaper calls



It's good to pay less: Bob Hoskins, the acceptable face of BT television advertising campaign, will have even more to talk about if OfTel's latest proposals are accepted

MARY FAGAN
Industrial Correspondent

Telephone charges for domestic consumers will fall in future under sweeping changes to BT's price controls proposed yesterday by OfTel, the industry regulator.

OfTel, which launched a consultation on what the new controls should be, plans to clamp down on BT's rate of return and also said the group must improve efficiency to match the best companies in the US.

The proposals prompted warnings from BT that demands for further sharp efficiency gains would present an "enormous challenge" and would result in further job losses. Peter McCarthy-Ward, price review director, said that simply to sustain the level of efficiency gains over recent years "we would need negative manpower". BT has shed 100,000 jobs over the past four years.

The changes proposed yesterday by Don Cruickshank, director-general of OfTel, include for the first time in 1997 an overall cap on the charges for BT's rivals to use its wires. At the same time the regulator will introduce a new cap for domestic consumers from mid-1997, replacing the existing control, which limits price increases to inflation minus 7.5 percentage points.

Mr Cruickshank said: "It will mean cheaper telephone calls for consumers but by how much we will not know until next June." BT must then agree the

new controls or be referred to the Monopolies and Mergers Commission.

He added: "We will take a very bullish view of BT's potential for efficiency improvements [in setting the caps]."

Mr Cruickshank also said that some services where there was competition, such as international calls, may be removed from the price control. Others, such as calls from BT telephones to mobiles, which carry a relatively high charge, may be included for the first time.

The regulator said the aim was to remove or reduce from BT's control formula services where competition was thriving while keeping a cap in areas where BT still dominated. Even where services are exempt from the cap OfTel is likely to maintain a basic inflation-linked "safeguard" for consumers.

Mr Cruickshank surprised BT by saying that in working out the exact controls he will use a lower rate of return than the 15 per cent assumed today. One City analyst said: "This is nasty for BT if you read the detail. OfTel is saying that BT's profit levels need to be lower or can be lower than they have ever said before. I would not accept this if I were BT."

Separately, Mr Cruickshank said prices for other operations to use BT wires would fall 20 per cent this year, backdated to April. Much of the reduction was due to a better allocation of costs following demands BT produce separate accounts for different parts of the business.

Acquisitions push S&N to 9% increase

JOHN SHEPHERD

Scottish & Newcastle Breweries, fresh from the £440m acquisition of Courage, unsettled investors yesterday with half-year pre-interest and pre-exceptional profits at the lower end of a wide range of analysts' expectations at £158.2m. Shares dropped 12p to 619p.

The result for the period to 29 October, which was a 9 per cent improvement on the comparable period, largely reflected the benefits of two acquisitions – the Chief & Brewer pub chain and Courage, which turned S&N from being into the fourth-largest brewer in the market, larger ahead of Bass.

Drinks analysts, however, said there were several encouraging aspects behind the results and viewed the share price fall as a knee-jerk reaction to an unexpected £80m reorganisation charge for a £70m asset write-down relating to Courage.

Only 11 weeks' figures from Courage, equating to an operating profit of £5m, were included in the results. This was better and expected, and analysts said demonstrated that S&N was continuing to gain market share in beer despite the natural problems of integrating the business.

Brian Stewart, chief executive of S&N, said Courage's volume beer sales rose 7 per cent compared with 1 per cent for the existing brewing business. The Courage performance led to an overall 4 per cent improvement in beer volumes compared with 3 per cent for the rest of the market.

The South benefited from the weather, giving a 1 to 2 per

cent lift in the market. The beer market was also growing before the summer, giving an underlying trend of growth," Mr Stewart said.

John Smith's bitter, part of the Courage brand stable, is now the country's best-selling ale, having recently overtaken Tetley bitter, which is owned by Carlsberg Tetley.

Mr Stewart said, however, that while progress had been made over the summer and autumn there were strong signs that there would again be a big fight for market share among the big brewers at Christmas. He said there would again be a generous offering of discounts. "I'm afraid the multi-buys are there in the pipeline."

While analysts were encouraged by the brewing and pub results, they were concerned by the unexpectedly flat performance by the leisure division – namely the Center Parcs and Pontins holiday businesses.

Operating profits from leisure operations rose 3.9 per cent to £50.9m. "Center Parcs turnover rose by 10 per cent but profits rose 4 to 5 per cent, held back by the costs of new Parcs coming on-stream and by the bot weather... which affected spending," Mr Stewart added. Results from Pontins were "broadly flat". The number of sites has been reduced from 23 to 19, and analysts believe that S&N will sell the business sooner rather than later. Mr Stewart declined to dismiss the notion that the business might be sold.

The interim dividend has been increased by 7.5 per cent to 6.55p.

Investment Column, page 22

Simon Pincombe CITY DIARY

The long and the short of it gives a new definition of hot money

The annual chilli competition at Bank of America reaches its gut-wrenching climax next week, prompting much concern and duodenal rumbling among the participating derivatives boys. The results are due to be announced on 14 December and will be followed by the traditional mass ingestion of the fiery commodity.

For a financial contribution into the pot (most of which goes to charity) the participants are given a notional £3m to invest on three different derivatives products. The individual performances are measured over a number of weeks, with the deadline arriving on Thursday week. The one who makes the most

money and the runner-up will receive a financial reward. The rest of the contestants must eat raw chillies – in the strict order of their rankings in the competition.

"This is where the skill comes in," said one trader. The third-placed contestant has first choice of up to 20 chillies which have been purchased for their individuality. Some are short and malevolent. Some are long and benign. Others are long and indecisively evil. The trick is to pick the right one. It is no good being fixed-income derivatives merchant at Bank of America if you don't know your chillies.

That said, there is usually little anyone can do for the

last-placed man who must reconcile himself for an afternoon with the fire bucket.

On reflection Nick Leeson's six and a half years in Changi jail is looking lenient.

The sudden resignation of Sipko Huisman as chief executive of Courtaulds has posed nothing of a dilemma for the chemicals group over the BT Global Challenge – the round-the-world yacht race in which amateur sailors battle against the prevailing winds. Mr Huisman, a frantically keen sailor, had already booked his berth on the Courtaulds boat for the New Zealand-to-Sydney leg. Alas, he will not be with the company. The New Zealand-to-Sydney leg, which starts on 9

February 1997, has already been dubbed "the chief exec's leg". The shortest passage, at just 1,230 miles, it is seen by the sponsors as a chance to take part without too many risks and without spending too much time away from the office. It should take about a week.

Theoretically the berth could now go to Gordon Campbell, the new chief executive. But Mr Huisman, who owns a 46-foot, French-built Oceanis yacht, is no slouch on the high seas and could even help the Courtaulds boat.

Courtaulds adopts the racing line. The company, which today announces the Courtaulds Trophy for each individual leg, feels it safer to leave Mr Huisman's berth undisturbed.

Peter Morgan, chairman-designate of Swalec, formally agreed terms for the takeover of the South Wales electricity company by Welsh Water at 2.30 yesterday morning – and promptly signed away the job he will take up on 1 January. By his own calculations Mr Morgan, a former director-general of the Institute of Directors, will be in the job for about three days before he becomes redundant. He won't even make the first regular board meeting.

The betting is that Mark Andrews, the new senior partner at the solicitors Wilde Sapte will not be long in the job. So keen is the lawyer to play his French horn that he has taken to practising in the firm's underground car park.

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THE INVESTMENT COLUMN
Edited by TOM STEVENSON

Acquisitions put S&N in driving seat

Latest results from Scottish & Newcastle underline the importance of the acquisitions of the Chief & Brewer pub chain and Courage, which elevated it to pole position in the beer league. Without those purchases S&N would have produced very dull figures indeed for the half-year to October.

Group operating profits advanced from £167.7m to £176.1m. Of that £11.6m increase, £9m came from an 11-week Courage contribution and most of the rest from Chief & Brewer. The deals gave S&N a much-needed share of the South's preponderance of beer gardens, which thrived in the hot summer weather.

The hot weather may be good for beer sales, but for the leisure sector it is bad news. Operating profits in the leisure division advanced a pedestrian 3.9 per cent to £50.9m, with customers at Center Parcs spending less on food, particularly at lunchtime, and the Pontins holiday camp business looking lost in a time warp. It can only be a matter of time before it is sold.

With no new Center Parcs due to open until 1997, S&N must work hard to improve results from leisure and the division's performance was the driving force behind a 12p fall in the share price to 617p. Adding 70 more villas to the Parc in the Loire valley will help, but there are signs that the operations' high re-booking percentage is flagging.

The difficulties here, though, should be more than compensated for by advances in beer and pub retailing. S&N has barely got its feet under the table at Courage, but is already showing it

has the management credentials and strategy to steal a further march on its opposition – particularly Carlsberg. Tetley, John Smith's bitter, part of the Courage stable, is outselling Tetley bitter. The reorganisation of Courage will eventually yield £75m of savings, which, given the annualised £40m of profits being made by Courage, makes the £440m purchase price look cheap.

S&N's shares have had a good run recently. Forecast profits of £312m this year imply a prospective price/earnings ratio of 15.5.

The yield, assuming that the 6.55p interim is followed by a 12.95p final, is a market average 3.9 per cent. Not cheap, but at a slight discount to Bass and Whitbread, still good value.

Mixed fortunes over Littlewoods

The consortium that Sir David Alliance has assembled to try to buy the Littlewoods empire may have a reasonable chance of success but it is not necessarily good news for all investors. Shareholders in N Brown, Sir David's mail order company, and Iceland, its frozen food retailing partner, could fare very differently if the bid succeeded. The most obvious measure of City sentiment was the move in yesterday's share prices. N Brown jumped 8p to an all-time high of 274p while Iceland was unchanged at 161p.

For shareholders in N Brown, the effects of the company getting its hands on Littlewoods' mail order business should be good news. The

company has built its success on selling clothing to older customers, although it has recently been targeting a younger audience. Buying Littlewoods' home shopping would accelerate that move, increase direct selling at the expense of Littlewoods' agency system and introduce its marketing, logistics and database skills.

N Brown shares have more than trebled over the last five years and analysts are forecasting £31m for the full year, which puts the shares on a rating of almost 20. High, but this is a quality company and could work wonders with the Littlewoods business.

This is less likely with Iceland. Iceland has been struggling with falling

margins and competition from the supermarket chains. It also has no experience in running a clothing chain store. With analysts forecasting profits of £74.4m for the full year, this puts the shares on a lowly rating of 10. However, this deal not only looks too much for Iceland to take on but raises questions about management's confidence in the existing business. Sell.

Hazlewood gets to grips

Hazlewood Foods has proven a highly unwelcome investment since the food group began its long restructuring

marginally six years ago. Worth more than 240p at the beginning of 1990, the shares have subsequently slithered to 99p, up 1p yesterday despite yet another profits warning.

Many of the problems it faces are common to the industry. The rising cost of raw materials this year will, on estimate, cut the sector's operating return on sales from 7 to 6 per cent.

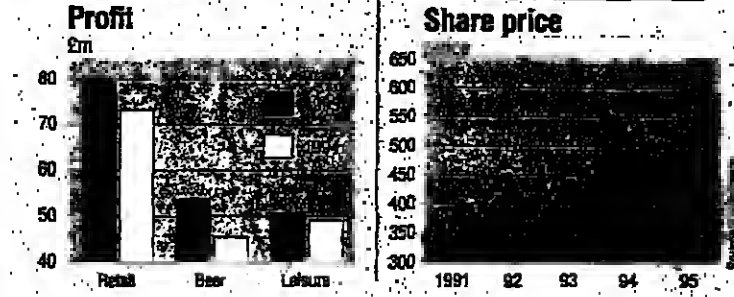
Hazlewood has therefore done well to raise underlying margins from 3.6 to 5 per cent in the six months to September. The effort translated into first-half pre-tax profits up from £12.1m to £16.1m.

Much of the relief came from getting to grips with losses at four start-up operations last year. But Hazlewood has also clawed back some of the gross margin erosion through higher volumes and price increases. The company's own-label chilled ready-meals business is growing at around 20 per cent a year, against a market expanding at 9 per cent, while cooking sauces for pasta, stir fry and the like are up 40 per cent or around four times the market rate. With convenience and ready meals 40 per cent of the group, there is clearly a good business trying to get out, but Hazlewood remains saddled with less exciting operations ranging from pork pies to sour pickles.

The company warns that higher rationalisation charges and dilution from the sale of the shelfish division earlier this year will hit the second half. Full-year profits of somewhat over £34m would put the shares on a forward rating of nine. Fair value for now.

Scottish & Newcastle: at a glance

Trading record	1993	1994	1995	1996	1997
Revenue (£m)	183	222	264	145	154
Pre-tax profits (£m)	18.0	18.8	18.0	6.09	6.55
Dividends per share (pence)					



French trauma is a problem for all of Europe

ECONOMIC VIEW

HAMISH McRAE

Is this principally a French problem or is it a wider European one? Yesterday the continuing mayhem in France started at last to speak the financial markets – which had hitherto been remarkably calm in the face of the growing unrest. That sanguine view has gone, and if anything the sharp downgrading of the franc and franc-denominated securities may overstate the actual deterioration that has taken place. There were plenty of reasons to be concerned about the French economy ahead of the strikes and it is not at all clear that these concerns should be any greater now than they were a couple of weeks ago before the strikes took hold.

Understandably, perhaps, the markets seem to be seeing the difficulties mainly in French political terms. By downgrading French bonds yesterday they were suggesting implicitly that French fiscal policy will have to be relaxed to meet the demands of the strikers. In the sense that the new cabinet's deficit-cutting plans were tighter than was absolutely necessary to meet the Maastricht criteria, some rise in the pro-

The problem is not so much French finances now, rather it is what might happen in the next 15 to 25 years. At the moment France has just over 14 per cent of its population over the age of 65; by 2010 it will be about 17 per cent, and by 2020, 20 per cent. But this is pretty standard. Italy is similar to France, but in Germany the corresponding percentages are 16, 20 and 22 per cent. A pensions system which just about functions now – only "just about" because social security contributions are already one of the main factors making it uneconomic to employ French workers – cannot function in 15 or 25 years' time.

But this is exactly the same problem that every Continental European economy faces: the pincer movement between a rising number of retired people and high social security commitments that have to be funded by a smaller group of people of working age.

In one sense the present Juppé plans are tighter than necessary, in that they are cutting back the fiscal deficit faster than the markets require in order to meet the politically inspired Maastricht criteria. But in another sense they are not tight enough, in that France and all other Continental European countries face a series of similar austerity packages – cut-backs to their welfare budgets, higher taxation – which

When people start rioting in the streets, investors take fright

will have to take place again and again through the next 25 years.

At one level this is a clash between rulers and ruled: that is a particularly French problem, for while the gulf exists elsewhere it is perhaps widest in France. But at another, more important, level it is a clash between demographic groups: the middle-aged and old, who expect to receive the social benefits they have been promised, and the young, who either face the prospect of taking home a smaller proportion of their earnings, or are excluded from the workforce altogether.

This does come back to France to one sense. The French government is in the same position as other European governments: it has to persuade an electorate that is increasingly numerically dominated by over-55s that expectations must be downgraded. That the government has so far proven unsuccessful suggests that the process of persuasion will be more difficult in France than in, say, Germany, where demographic pressures are actually greater, or Italy, where the fiscal starting point is worse.

But we cannot be certain of that. It may actually prove harder to explain to voters in Germany and Italy that the politicians can't keep their promises. This disruption in France may look like a re-run of 1968. But it may be more, the same as Belgium. Overall debt is in the middle of the industrial country range.

Some numbers. The French budget deficit next year will be a little over 4 per cent of GDP, but not more than 4.5 per cent.

In 1997 the latest plans would in theory bring it below 3 per cent, but even on pessimistic assumptions the deficit will be about 3.5 per cent. True, unemployment at more than 11 per cent is high, but the current account surplus is equivalent to about 1 per cent of GDP, and inflation is very low.

These numbers are not so dissimilar to those of other European nations. The fiscal deficit and unemployment are poorish, but the current account and inflation are good. At the trough of the recession Britain's fiscal deficit reached 7.8 per cent of GDP, while France's peak was 6.1 per cent, so the French correction is smaller than our own. Even were France to run a deficit of 4.5 per cent of GDP next year that would be better than Italy, Spain, Sweden, Greece and Portugal, and much the same as Belgium. Overall debt is in the middle of the industrial country range.

But we cannot be certain of that. It may actually prove harder to explain to voters in Germany and Italy that the politicians can't keep their promises. This disruption in France may look like a re-run of 1968. But it may be more, the same as Belgium. Overall debt is in the middle of the industrial country range.

IN BRIEF

Alba profits rise 27%

Alba, the consumer electronics group, increased profits before tax by 27 per cent to £258m. Earnings per share in the six months to September rose 23 per cent to 4.27p and there was a 14 per cent increase in the dividend from 1.1p to 1.25p.

Demand slows at Faber Prest

Faber Prest, the steel services and logistics group, warned that destocking by customers had led to a weakening of demand towards the end of the year to September which had continued in the current year. Profits before exceptional items increased 36 per cent to £8.2m (£6m).

Philip Harris improves to £1.18m

Orders at Philip Harris, the laboratory equipment and pharmaceuticals group, have slowed since the first half to September, but the company is confident of a pick-up. During the first six months pre-tax profits, up 24 per cent to £1.18m, were struck from higher sales of £55.1m. Share earnings rose 24 per cent to 7.14p.

COMPANY RESULTS

	Turnover £	Pre-tax £	EPS	Dividend
Alba (1)	69.4m (63.6m)	2.6m (2.0m)	4.27p (3.40p)	1.25p (1.1p)
Alm (1)	55.5m (49.4m)	3.6m (2.7m)	7.43p (6.40p)	2.5p (2.4p)
Accelant Moulding (1)	13.5m (12.5m)	1.2m (1.06m)	5.5p (5.5p)	0.85p (0.75p)
Faber Prest (1)	18.9m (18.5m)	0.2m (0.6m)	42.00p (43.74p)	17p (15.5p)
Hambleton (1)	72.0m (75.5m)	0.6m (0.52m)	6.1p (4.9p)	1.75p (1.7p)
Harwood Foods (1)	200m (220m)	18.1m (18.7m)	6.12p (6.27p)	2.4p (2.4p)
Orkney Islands (1)	40.5m (40.4m)	7.95m (8.3m)	11.7p (12.7p)	5p (4.6p)
Pyram (1)	45.1m (25.5m)	3.1m (2.85m)	4.3p (4p)	2p (2p)
Scottish & Newcastle (1)	1,355m (1,011m)	154.5m (145m)	20.4p (18.9p)	8.55p (8.00p)

(1) - Final (1) - Interim (1) - Nine months

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Country	Spot	1 month	3 months	Country	Spot	1 month	3 months	Country	Spot
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Canada	72.0	71.91	71.81	Germany	1.93	1.93	1.93	Italy	1368.5
Germany	2024.2	94.47	95.19	France	1.93	1.93	1.93	Spain	166.0
Japan	269.6	91.65	91.65	Italy	1.93	1.93	1.93	Portugal	200.0
Japan	142.8	92.37	92.23	Spain	1.93	1.93	1.93	Belgium	336.0
ECU	168.8	94.4	94.4	Portugal	1.93	1.93	1.93	Netherlands	203.0
Denmark	16.84	92.43	92.43	Belgium	1.93	1.93	1.93	Denmark	16.84
Netherlands	2024.2	94.47	95.19	Netherlands	1.93	1.93	1.93	Sweden	10.46
Norway	9.72	92.75	92.75	Sweden	1.93	1.93	1.93	Finland	5.94
Spain	166.0	94.43	95.19	Finland	1.93	1.93	1.93	Australia	1.08
Sweden	10.46	92.43	92.43	Australia	1.93	1.93	1.93	Hong Kong	7.75
Finland	5.94	92.43	92.43	Hong Kong	1.93	1.93	1.93	New Zealand	1.35
Australia	1.08	92.43	92.43	New Zealand	1.93	1.93	1.93	South Africa	1.35
Hong Kong	7.75	92.43	92.43	South Africa	1.93	1.93	1.93	Singapore	1.35
New Zealand	1.35	92.43	92.43	Singapore	1.93	1.93	1.93		
South Africa	1.35	92.43	92.43						
Singapore	1.35	92.43	92.43						

Notes: Forward rates quoted Jan 1 to Jan 1 are for a discount (premium) Jan 1 to Jan 2 are for a discount (premium) Jan 1 to Jan 3 are for a discount (premium) Jan 1 to Jan 4 are for a discount (premium) Jan 1 to Jan 5 are for a discount (premium) Jan 1 to Jan 6 are for a discount (premium) Jan 1 to Jan 7 are for a discount (premium) Jan 1 to Jan 8 are for a discount (premium) Jan 1 to Jan 9 are for a discount (premium) Jan 1 to Jan 10 are for a discount (premium) Jan 1 to Jan 11 are for a discount (premium) Jan 1 to Jan 12 are for a discount (premium) Jan 1 to Jan 13 are for a discount (premium) Jan 1 to Jan 14 are for a discount (premium) Jan 1 to Jan 15 are for a discount (premium) Jan 1 to Jan 16 are for a discount (premium) Jan 1 to Jan 17 are for a discount (premium) Jan 1 to Jan 18 are for a discount (premium) Jan 1 to Jan 19 are for a discount (premium) Jan 1 to Jan 20 are for a discount (premium) Jan 1 to Jan 21 are for a discount (premium) Jan 1 to Jan 22 are for a discount 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Detailed description of Figure 1: The graph plots the percentage of total energy expenditure (TEE) for six activities over a 24-hour period. The Y-axis represents 'Percentage of TEE' from 0 to 100. The X-axis represents 'Time of Day' from 0 to 24. The activities and their approximate TEE percentages are: Sleeping (blue line, ~30-40%), Resting (green line, ~10-20%), Walking (red line, ~10-20%), Standing (yellow line, ~10-20%), Sitting (purple line, ~10-20%), and Eating (orange line, ~10-20%). Sleeping is the most energy-intensive activity, peaking at night. Walking and standing are more energy-intensive during the day.

Time of Day	Sleeping	Resting	Walking	Standing	Sitting	Eating
0	30	10	10	10	10	10
4	35	10	10	10	10	10
8	30	10	10	10	10	10
12	20	10	10	10	10	10
16	20	10	10	10	10	10
20	30	10	10	10	10	10
24	30	10	10	10	10	10

sport

Procurator Fiscal's interventions are cause for concern

Scottish football is attracting increasing attention from the civil authorities, the latest intervention concerning Stewart McKimmie. The Procurator Fiscal's office in Glasgow confirmed yesterday that police have been instructed to supply information on the incident during Saturday's 1-0 Premier Division defeat at Partick that led to the Aberdeen captain being sent off for an alleged elbowing offence.

"We have asked the police to supply certain information on the Partick Thistle v Aberdeen match at the weekend," was all

a spokesman for the Procurator Fiscal's office in Glasgow would reveal on the beginnings of yet another investigation of an on-field incident.

The trend began with the Duncan Ferguson case, which saw a professional footballer sent to prison for the first time for his conduct during a match. Paul Gascoigne, Alan McLaren and John Brown of Rangers and Billy Dodds, the Aberdeen striker, are the subjects of a report being compiled for the Procurator Fiscal for Glasgow.

"They are under investigation for incidents during the match

between their clubs at Ibrox last month, a game in which John Rowbottom, the referee issued no punishments but the Scottish Football Association subsequently suspended Gascoigne and Brown on the basis of the referee's supervisor's report.

However, the theory that the Procurator acted because the football authorities did not falls down now. McKimmie was sent off after his tangle with Partick's Callum Milne. He was fined by his club and will be suspended in line with SFA rules. The intervention of the Procurator, therefore, would suggest that he

David McKinney reports on external pressures being felt in Scottish football

feels football is incapable of adequately policing itself.

Ferguson, who had already been bound over to keep the peace, escaped punishment by the referee when he butted John McStay, yet there have been recent incidents on which the Procurator has turned a blind eye, leaving those involved in football with an uneasy feeling as they struggle to interpret the ground rules.

Several players were involved

in ugly scenes at the Junior Cup Final between Largs Thistle and Glenafon at Ibrox in 1994 and in August of that year Craig Levein and Graham Hogg of Hearts exchanged punches during a friendly against Raith Rovers at Stark's Park. There was no action taken against any player.

While the feeling of the Aberdeen people at Pittodrie is that the Procurator now has his foot in the door and will continue to

be involved in football matters, Tony Higgins, a former professional player and now secretary of the Scottish Professional Footballers' Association, is determined to establish the real position. "We have written to the Lord Advocate, via Brian Wilson MP and have alerted our players to the increased involvement of the civil authorities in the game," he said. "In addition we will meet with the Managers and Coaches Association on Wednesday to discuss the issue but the message now seems to be that if events are reported they will be taken up."

"There is a new agenda now, so the players must do as much as they can while we would like clarification to establish where we stand because of the independent role of the Procurator Fiscal. This is a worrying trend because, although the game itself hasn't changed dramatically over the last 20 years, we have a new audience, and while no one would condone violent conduct we are seeing a proactive role from the Fiscal."

That new audience has the aid of the prying television eye, with controversial incidents dissected every weekend in the

country's living rooms. Now there is a danger that some people are looking to sanitise the game, which is embraced with as much passion and vigour in Scotland as anywhere in Europe.

A heavy-handed approach is cited as the reason Scottish clubs fail to make an impact in the European arena, but the evidence from overseas suggests others are applying British fitness to their undoubted skills. Yet nowhere in Europe are players becoming as fearful of being involved in a tangle with opponents as Scots are - and outside influences are to blame.

End of the dream for Maradona

Phil Davison in Buenos Aires finds the Boca Juniors love affair is turning sour

Diego Armando Maradona is not used to having six goals knocked in against his side. It's about as rare as his appearances at training.

It happened at the weekend, though, as Boca Juniors went down 6-4 to Racing Club in a vital league match that could end Boca's title hopes. The result knocked Boca off the top of the table, a point behind Velez Sarsfield with two games to play, and threatened to end the honeymoon between Maradona and the Boca fans.

For the first time, a few Boca fans joined in the rival supporters' taunts of "Maradona, your mother's shell" - a vulgar anatomical reference in Spanish - in the club's Bombonera stadium on Sunday night.

Bombonera means box of sweets, but the atmosphere quickly turned sour as 60,000 fans saw their team defeated in the 10-goal match.

"Symbol of Boca," was the headline in the daily *La Nacion* yesterday, next to a picture of a dejected Maradona. "He didn't train all week. He said he had flu, but he was well enough to attend a barbecue," the paper reported.

Since his return to Boca in September at the end of a 15-month ban for failing a dope test at last year's World Cup, the little man has not been out of the headlines. The working-class club from the Buenos Aires docks where the tango was born came up with some \$8m (£5.3m) for a 30-month contract. "God has given me to Boca," he said.

At the same time, they signed Maradona's international partner Claudio Caniggia, another player with a former cocaine problem, to form the "dream team". Despite Maradona's continued absence from training, things were going reasonably well until just before

kick-off on Sunday night. Boca had even voted in a new chairman minutes earlier, the motor industry mogul Mauricio Macri, who was expected to bring more sponsorship and more success next season.

But while Boca's captain, recently turned 35, was overweight, weary and lazy, a hungry Racing Club, themselves in third place in the league and still with a shot at the title, went on the rampage. Despite scoring a consolation penalty, for the dream team's captain it was a nightmare.

"We knew deep down we were letting the championship slip away," he said after the match. "Today, we surrendered the championship, but we will keep the faith."

Faith? More and more Boca fans are expressing the view that Maradona's latest hairstyle represents just what it looks like - a yellow streak.

More and more fans feel that his new hairstyle represents what it looks like - a yellow streak.

like - a yellow streak. It was supposed to parallel the yellow stripe across Boca's blue jersey. Legend has it the club chose the colours when someone saw the flag on a Swedish freighter docked in Boca harbour at the beginning of the century.

Maradona has gone missing several times in the last few months. "Donde está Diego?" (Where is Diego?) is perhaps the most common newspaper headline in Argentina. The last time - last month - he claimed he was depressed over the death of Sebastian Passarella, the teenage son of his former international team-mate and current Argentina manager, Daniel Passarella, in a car accident.

Eventually, rumours are rife that he has returned to cocaine, which got him suspended while playing for Napoli in 1991 and arrested in Buenos Aires the following year. Until Sunday, Boca fans had given him the benefit of the doubt, hoping that magnetic left foot could do just



Grim determination: Diego Maradona (centre) cannot prevent defeat by Racing Club on Sunday

Photograph: AP

enough to bring them only their second championship since a young Maradona helped them win it in 1981.

As he continued to gain weight this year - "the ball's the one that keeps moving and doesn't have No 10 written on it," goes a local joke - he had a face-lift, or jowl-trim as he preferred to put it, because "I want to look good for my wife."

She, the peroxide blonde Claudia who has stood by him through thick and thicker, re-

prosecuted with a breast implant, leading Diego to tell reporters: "Sus lolas son barbaras" (her tits are fantastic).

Tubby and unfit though he is, he still has the magic. It just comes in less frequent doses. A few days before the Racing Club game, I watched him against arch-rivals River Plate, in what they call the Super-Derby, at River's Monumental Stadium where Argentina won the dramatic 1978 World Cup final.

The atmosphere was almost as electric as in 1978, this time with River's red and white colours dominating as bombs, crackers, flares and sparklers went off and ticker tape and toilet rolls blocked out the sky.

The little man still had the ability to drift past three men without looking down at the ball, to the cheers of *los hooligans* (the pigshits), as Boca's fans call themselves to distinguish themselves from River's middle-

class support. And he almost scored with a 40-yard shot from close to the touchline with the goalkeeper off his line.

Most of his fans still hope Maradona can pull it off for Boca over the next two vital games. Their highest fan, 60-year-old Jose Barrita, head of their fan club and known as *el abuelo* (the grandfather), will be watching on television. He is currently in jail in connection with the murder of two River fans near the Boca stadium.

Ferdinand's true grit

Les Ferdinand has scored 20 goals since his £6m move to Newcastle last summer - only six short of his previous best return with four months of the season still to run.

Ferdinand's success in the famous No 9 shirt is propelling Kevin Keegan's side towards their first championship since 1927 and they are determined not to let the chance slip as they did a year ago.

"People have said in the past that Newcastle haven't had the stamina to cope with it, but this season we have shown our re-

silience," Ferdinand said. "To win things you have got to pull the best out of each other. Perhaps we didn't do it against Wimbledon, but if we are going to win the championship we have to command the best from each other week in, week out."

Ferdinand scored twice and made the other in the 3-3 draw against the Dons on Sunday. "His performance was exceptional and he scored two great strikers' goals," Keegan said. "But his work all round of holding up the ball and helping out in defence was just outstanding."

McStay's dawn chorus

Celtic supporters were up before dawn yesterday to buy tickets for Paul McStay's testimonial match against Manchester United on 12 December.

"The first fans arrived at one o'clock in the morning," Peter McLean, a Celtic spokesman, said. "By 8.30am the queues were stretching down the street and that was still three hours before the tickets went on sale."

Celtic are hoping to be given the green light later this week to open a temporary stand at the currently two-sided ground to push the capacity for the game to over 37,000. With tickets priced at £12 for adults and £5 for children and OAPs, the Scottish international, who joined the club in February 1991, looks set to earn close to £400,000 from the match.

WHERE ARE THEY NOW?

It is no surprise to Johnny Meigod that his old club, Nottingham Forest, are already England's last standard bearers in Europe. "All the time I was in England, people were saying they would have to change or fall behind," the former Dutch international midfielder said. "Ten years later, they are saying the same thing."

Meigod, 37, spent three years at the City Ground, followed by a season with Tottenham, before returning to the Netherlands in 1988 to join Feyenoord, for whom he is now head of youth development. He lives in a village outside Rotterdam with his wife, Patty, their son and two daughters.

"There is no reason why change should not happen. The kids here don't play in the streets any more, but we take them at six years old and create situations which are like playing in the streets. Each player gets a ball to work with and does nothing else. There is no point in asking a boy to pass the ball if he cannot control it."



Johnny Meigod

"This is where English football is lacking. Still there are players, centre-backs for example, big blokes full of character, but who seem to want to kick the ball as far away as they can, as if it frightens them."

Meigod stopped playing only two years ago, but says he now "thinks like a coach rather than a player," and wants to test himself at the highest level. "I need only one more qualification to be a head coach in the First Division here, but I wouldn't mind the chance to work in England if the right job came along."

Jon Culley

Forest worried by jobs and strikers

Apart from Brian Clough cutting a few supporters who had invaded the pitch, Nottingham Forest have rarely been associated with crowd trouble. However, they carry the English standard into Europe tonight hoping that their success has not attracted the wrong kind of flag-wavers.

Olympique Lyonnais, their opponents in tonight's UEFA Cup third round second leg, are expected to flout the regulations of the governing body of European football and sell tickets on the day of the match. Although this has happened without problems in both Forest's previous European ties, in Malmo and Auxerre, Forest are aware that the risk increases in line with their profile.

"I am concerned," said Frank Clark, the Forest manager. "There might be a few national yobboes who decide to have a day trip and cause a bit of mayhem."

The club has done everything we can. We have taken names and addresses for each of the 1,000 tickets we have sold. But though UEFA would like that into account if anything happened, the stigma of trouble would still reflect badly upon the club. It certainly would not do English football any good."

Fortunately the police are yet to be dragged into the wave of strikes which are slowly paralysing France - although they may join in if they continue. Apart from the possibility of

Glenn Moore on tonight's challenge to the last British club left in Europe

the dispute spreading to the airports - and preventing their post-match return tonight - Forest are more worried about their four strikers than France's 8,000. With Bryan Roy injured, Kevin Campbell ill, and Andrea Silenzi still struggling to find form, they are hoping Jason Lee will be fit enough to lead the attack. Lee has missed three games, including the first leg which Forest won 1-0, with a thigh injury. "He has a chance,"

said Clark last night, "it depends how he reacts to training."

Forest's progress has been characterised by defensive solidity - they have conceded two goals in five games - but Clark emphasised: "We are looking to score. If we get one they will have to score three and I cannot see them doing that."

Clark will not reveal his hand but Silenzi is only likely to play if Lee is unfit. Either Paul McGregor, who scored the first-leg winner, or Stephen Howe (who created it) may then be entrusted with the linking role. Neither has made half a dozen full appearances, but Clark said he was confident they could handle the occasion.

The French will be without Florent Laville, who is suspended after being dismissed at the City Ground. Eric Assadourian is expected to return to partner the impressive youngster, Florian Maurice, in attack.

Another tight match is envisaged. "It would like us to be entertaining and expansive but we will do whatever is required," Clark added. "The next round is not until March so if we get through we can put it on the back burner for a few months knowing it is something to look forward to."

If they do not, the European competitions will be devoid of British interest until August...

Roberts makes plea to McGhee

Iwan Roberts yesterday did his bit to prevent Mark McGhee leaving Leicester City for the vacant manager's chair at Wolves.

As training went on as usual at Filbert Street, the Leicester striker said: "It's a big chance to manage a club like Wolves but the only thing they have that's superior to Leicester is their stadium. On the field there's no comparison."

Despite McGhee, 38 yesterday, having indicated that he wants the job, Leicester have refused him permission to talk to Wolves. "I should have the right at least to hear what they have to say so that I can make my mind up," he said.

The Premier League has pledged to give "full and due consideration" to any proposal by Wimbledon - currently ground sharing with Crystal Palace - to move to Dublin.

The Football Association voiced its concern when the scheme was originally suggested, but Rick Parry, the Premier League chief executive, said yesterday: "If Wimbledon do come forward with a formal proposition we would give it full and due consideration, as we would any innovative proposal."

Alan Thompson, the Bolton midfielder, has been given a three-match ban after passing 21 disciplinary points.

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case for moving Leonard to tight head and bringing in Graham Rowntree or even Kevin Yates on the other side. But with Clarke now assured of his favourite spot, the flankers are the worry.



more demonstration of the modern truth that in international rugby short flankers sink beneath the waves. I should bring in Dallaglio at No 7 and give another chance to Steve Ojomoh, who has never yet let England down, at No 6. But I do not expect Rowell to play the slightest attention.

players are bound to be disappointed and I can sympathise with them," Stan Bagshaw, the North team secretary, said.

Last night David Baldwin, the Sale lock, withdrew from the North team with a groin injury. Matthew Greenwood moved up from the back row into the place he reluctantly fills for Wasps, with Richard Arnold, Newcastle's New Zealander, coming into the back row.

Meanwhile Swansea play Castres, last season's French Cup winners, in a match with a critical European Cup tie-off. St Helen's tonight will go out of the inaugural competition if they lose. Injuries may be

[illegible]

Warrington's Gareth Davies, who has replaced Jonathan Davies in the centre following his return to South Wales, fractured his cheekbone during the defeat by Sheffield Eagles on Friday and will be out for the rest of the season.

Salford, Oldham and Widnes have all shown interest in the Hull prop, Tim Street, who is transferred at £80,000. The only solid offer for the much-travelled forward has come from Chorley.

Hull say that it could be as simple as a fortnight before they announce their new coach, despite reports in Australia that the former Australian Test full-back Iain Sissons has got the job.

Having torn apart Nottingham Panthers to win the Benson & Hedges Cup 5-2, Sheffield Steelers gave a repeat performance in the Premier Division against Slough Jets with a 14-3 win on Sunday.

Nottingham Panthers, in contrast, seemed to be struggling, letting a 3-1 lead against Fife Flyers slip to end in a 7-7 draw. The weekend's surprise result came from Milton Keynes Kings, who held Sheffield 3 last week, drew 6-6 in a thrilling game with Durham.

The team said that defaults on sponsorship payments left them in an untenable position and that they would not be able to produce the competitive package to overcome new qualifying rules. Keith Wiggins, the managing director, said: "We have tried very hard to establish our position in Formula One, but due to the difficult financial position, we have not been able to progress. Our cash flow and credit position have been stretched to a point where we cannot continue."

UNBORN LEAGUE Challenge cup third round: Colwyn Bay v Acreington Sunday; Bamber Bridge v Lancaster; Garsborough Trinity v Pockley Athletic; Leek v Eastwood Town; Spennymoor v Embsay.

UNBORN LEAGUE First Division: Bittercay v Wemmerley; Merkov v Tooting and Mitcham. Second Division: Chalfont St Peter v Bideford; Hungerford v Chesham; St Davids; Epsom and Ewell v Westons; Harfield v Flackwell Heath. *Challenge Cup second round:* Alverstoke Town v Mildenhall; Carlton Trophy second round: Cove Marsh v Foston.

Rugby Union
FIVE NATIONS HENKEN CUP Pool D: Swansea v Caerlisle (7.0).
CIS INSURANCE SERIES TOUR MATCH: Northern Division v Western Samoa (7.30) at Huddersfield.
REPRESENTATIVE MATCH: Pontypool v New Zealand Army (7.0).
CLUB MATCHES: Derry Hill v Aberllynny (7.30); Cross Keys v Treorchy (7.0).

Other sports
RACING: Huntingdon (12.30); Plumpton (12.15).

Tennis
Britain's Jamie Delgado, Nick Gould and Andrew Richardson, the three members of the ITA Lang squad formed a week ago under the American coach Peter Fleming, all won titles at the weekend. Delgado, 18, won on the UAE Satellite circuit in Dubai; Gould, 23, on the Portuguese Satellite Circuit in Faro; and Richardson, 21, won the doubles at the ATP Challenger in Slovenia with Mark Petchey.

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SPORT



MARADONA'S DREAM IS OVER

More and more fans feel that his new hairstyle represents what it does: a yellow streak. Phil Davison on the decline and fall of a legend

645 minutes, 492 balls, 185 runs

Atherton's innings of his life saves England

Cricket

MARTIN JOHNSON reports from Johannesburg South Africa 332 and 346-9 dec England 200 and 351-5 Match drawn

Before this tour is out, Jack Russell is planning to take his pains and ease out to the old colonial garrison at Rorke's Drift, but as far as he and Michael Atherton are now concerned, they have already been there and picked up their VCs.

This was behind-the-sand-bag heroism on an epic scale, and it was just about possible to close your eyes yesterday and imagine Ivor Emmanuel in his tattered tunic, belting out a chorus of "Men of Harlech."

When Ted Dexter was the CO, he liked his men hutted to the neck and clean-shaven, but if Atherton was grimy and bestubled last night, he could justifiably claim that his cheeks were baby-faced before he started batting.

Ten and three-quarter hours he held out after walking in to bat in an apparently hopeless cause on Monday morning, although even then it would not have been enough without Russell's four and a half hour support at the other end. All too often Atherton has led from the front, and then looked around to find no one behind him. But not this time.

Heaven only knows what a batsman thinks about for nearly 11 hours, but you got the impression that it was neither his girlfriend's impending arrival, nor what he was going to have for dinner. Atherton's face was so screwed up in concentration it looked like a road map, and it was one of the finest rear-guard innings that can ever have been played.

You would have given Lucifer's cat more of a chance than England yesterday morning, setting off as they did from 167

for 4, with the remaining six hours on the clock of far greater relevance than scoring another 312 runs. However, while 14,000 people turned up at the start anticipating celebrating victory in this second Test sometime before lighting the lunchtime barbeques, most of them had trudged home long before South Africa finally threw in the towel.

England, scarcely surprisingly, needed a certain amount of luck to survive, and by no means the least important factor was the pitch - despite its movable cricks - did not misbehave anything like as badly as expected after that first morning cock-up over the toss.

Robin Smith had barely played himself back in yesterday morning when he survived a huge appeal for a catch behind off Allan Donald, Atherton gave a sharp chance to short leg off Donald on 99, and Russell had been in less than half an hour for 5 when Meyrick Pringle spilled a routine return catch.

Russell then proceeded to drive the South Africans half-way up the wall with that uniquely ugly method of his. While Atherton played the game properly, with a bat apparently the width of a barn door, Russell did not give a hoot whether he used his equipment or not, and there were times when he appeared to be playing almost exclusively with the cheeks of his bottom.

Much more of Russell in this series, and the South Africans will be less in need of a physio than a psychiatrist. Peering square-eyed behind sunglasses and a visor, Russell sand-crabbled across the crease, brought out the shovel shot whether he intended to play the ball or not, and, as Atherton said, played every delivery as though his life depended on it.

The fact that scoring runs was out of the question for the statistics. Atherton failed to score off 385 of the 492 balls he faced, as did Russell from 221

of his 235. Even Trevor Bailey might have considered 104 balls for eight runs between lunch and tea a bit of a grind, and had Russell gone on to make a century at the rate he was going, he would have taken 16 and a half hours to get there.

It was perhaps ironic that in the midst of all this trench warfare, the only wicket to fall all day was to a full-blooded slash to third man by Smith. However, it is not easy to stop playing shots altogether even when you cannot realistically win, and some of Atherton's strokeplay was delightful to watch.

The opposition may not have thought so, judging from one or two pieces of dialogue going on out there, and neither did South Africa do themselves much credit by ignoring Atherton when he had been felled - misnooking - by Pringle, and had to call for a replacement helmet.

There is something in Atherton's make-up, though, which makes him all the more focused when the cricket is not too chivalrous. You could persuade a mule to budge more quickly when he is feeling bloody-minded, and, purely by example, is helping England get rid of the one basic flaw that has characterised their Test cricket in recent years. If you cannot win, don't lose.

Atherton was honest enough to admit that England had played "poorly" for four days, and would have to "sharpen up their act" if they were actually going to win matches rather than save them. "Putting South Africa in was the wrong decision," he said, "and I felt I probably owed the lads an innings after that."

His chairman, however, was so delighted with him that last night Atherton might have achieved something even more improbable than batting 10 and three-quarter hours, and had Raymond buy him a drink. Illingworth said: "It's not easy for a Yorkshire to say this about a Lancastrian, but it was one of the great innings of all time. This is a big up for us, and it's got to be a big down for South Africa."

South Africa, needless to say, did not quite see it that way. Hansie Cronje, their captain, described Atherton's innings as a "good knock", which was a bit like saying that Mozart knocked out the odd catchy tune, and said that his team were "not disappointed" at the outcome.

Atherton, though, is a man who looks at the enemy's expression rather than his dictionary, and Cronje's declaration of buoyancy did not quite square with a pair of eyes that looked as though they had spent several days on a fish-monger's slab.



Captain courageous: Michael Atherton acknowledges the applause of the Wanderers crowd yesterday after reaching his century Photograph: Rebecca Nader/PA

Friend and foe salute captain

Friend and foe joined forces last night to salute Mike Atherton after the England captain had produced one of the finest Test innings of all time.

Atherton, was at the crease for 15 minutes short of 11 hours while compiling his highest Test score to date. It earned a hug from Raymond Illingworth, although the manager - tongue in cheek - later insisted: "I just gave him a gentle handshake, that's all, but it was a tremendous performance by both Mike and Jack [Russell]."

Every member of the South African team trooped into the visitors' dressing-room to congratulate Atherton and his part-

Highest scores by batsmen batting fourth in drawn Tests

Player	Score	Opposition	Year
England's England v South Africa (Durban)	200	England	1974
South Africa's South Africa v England (Durban)	200	South Africa	1974
England's England v West Indies (Bridgetown)	185	England	1974
West Indies' West Indies v England (Bridgetown)	185	West Indies	1974
England's England v Australia (Melbourne)	185	England	1974
Australia's Australia v England (Melbourne)	185	Australia	1974
England's England v India (Bombay)	185	England	1974
India's India v England (Bombay)	185	India	1974
England's England v Pakistan (Lahore)	185	England	1974
Pakistan's Pakistan v England (Lahore)	185	Pakistan	1974

ner, Russell. "Atherton's innings was one of the great rearguard actions," Bob Woolmer, the South African coach, said. "Our bowlers performed magnificently, kept trying to the end, but you have to give him great credit."

Atherton looked as though he could have carried on all night if necessary. "I feel pretty fresh at the moment," he said. "The adrenalin flows when you are out there, but I expect I'll be tired later on."

"Jack and I just took it ball by ball, trying to give every delivery 100 per cent concentration. He's a player who's got immense concentration and played every ball as though his life depended on it."

For Russell, in particular, defeat would have been almost too much to bear. The England wicketkeeper took part in a similar operation with Robin Smith against the West Indies in Barbados nearly six years ago which ended in failure.

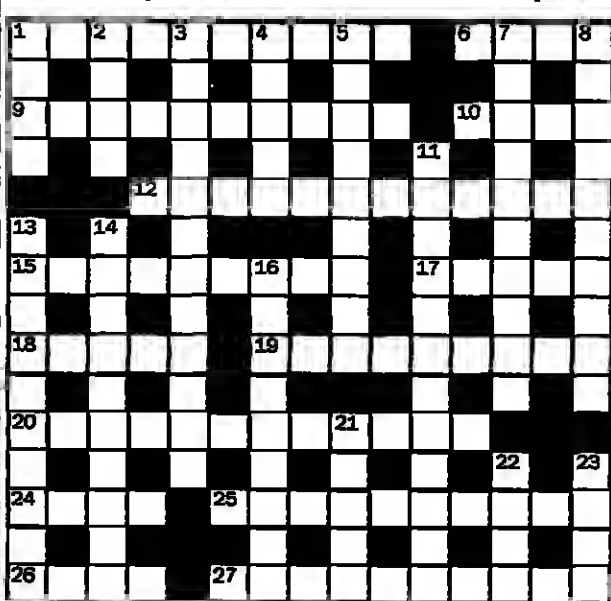
"I didn't want to go through what happened there again," Russell said. "We need up each other and if one of us was looking a bit lazy we had a go at one another. We had a bit of luck, but we were determined to be there at the end. It's great to save the game from the position we were in."

Wanderers scoreboard

First day: England won toss	
SOUTH AFRICA - First innings 332 (6 overs 110; 11 G Coen 100; 11 G Coen 54; 11 E Morkel 4-64)	ENGLAND - First innings 298 (10 Smith 52)
SOUTH AFRICA - Second innings 346-9 dec (11 Morkel 100; 11 G Coen 51; 11 N Rhodes 57; 11 G Coen 4-78)	ENGLAND - Second innings (Overnight 167-4)
*A Atherton not out 185 (645 mins, 492 balls, 28 fours)	A J Stewart not out 38 (108 mins, 76 balls, 4 fours)
M R Russell not out 0 (2 mins, 2 balls)	G P Thorpe 17 (220 mins, 64 balls, 2 fours)
G A Hick 17 (133 mins, 27 balls, 1 four)	R A Smith 44 (133 mins, 231 balls, 3 fours)
11 C Russell not out 39 (272 mins, 235 balls, 3 fours)	11 C Russell not out 39 (272 mins, 235 balls, 3 fours)
Extras 104.5 (17.2/22.3)	Total (for 5, 645 mins, 185 overs) 351

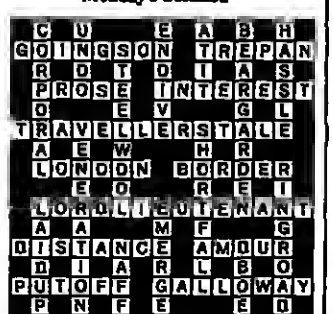
THE INDEPENDENT CROSSWORD

No. 2849, Thursday 5 December By Andrew



- ACROSS**
- Key match - for Joan, say? (5,5)
 - Idiot takes in nothing of TV programme (4)
 - Appropriate format for nocturne? (5,5)
 - Sound of a measure of noise on line (4)
 - We will graduate taking cut finely adjusted (4-8)
 - Contractors for Canary Wharf had this difficult task? (4,5)
 - Drab uniform colour (5)
 - Hiding place of endless prestige (5)
 - Beautifully a piece of wood according to verbal do's and don'ts (9)
 - The beginning of endless remark on building material (12)
 - One has point in rejecting European tip in outside cooking (4)
 - Sage's mode of existence? (6,4)
 - One refusing to strike has, in short, gone to advice givers (4)
 - Don't try to use such an imprisoning (10)
 - Liberal has abandoned the whip (4)
 - Boss dismisses one kitchen specialist (4)
 - Dear (7) means of getting into correspondence (6-6)
 - Showing no difference in the quality (5)
 - Rib broken by vehicle reversing up to taxi? Rubbish! (4-1-4)

Monday's Solution



- DOWN**
- Take too much money when about to replenish battery (10)
 - Thing for making foundations is stacked by the Thames? (4-6)
 - Sailor could be late on joining Navy, a will-o'-the-wisp (4-1-7)
 - Keep supply of dried things which cook needs? (5,5)
 - Transport lags behind in this (5,5)
 - The working out of a discount (9)
 - Tree in Burma pleases (5)
 - King cuts into pastry to find fish (4)
 - Abandoned socialist (4)

Other great rearguard actions in Test history

- 1953** Watson and Bailey foil the Aussies
- The obvious comparison to yesterday's events, England, batting again against Lindwall, Miller, Johnston and Bennett at Lord's, 340 behind, were 73 for 4 when Trevor Bailey joined Willie Watson at 12.42 on the last day. As a stand developed the nation stopped. Test Match Special, on radio, had an audience of Diana-like proportions. The pair defied Australia for almost five hours, Watson scoring 109, Bailey 71, until falling with 40 minutes remaining. England, though, were able to hang on with three wickets standing.
- 1974** Amiss makes 262 to deny West Indies
- England were 230 behind when they started again against the West Indies at Sabina Park, Kingston, and in danger at 107 for 3. Dennis Amiss batted 570 minutes for his 262 not out in which he had invaluable help from No 10, Frank Worrell, who scored four singles in 83 minutes and 53 runs, who made six in 53 minutes. The West Indies had no time to chase.
- 1979** Gavaskar almost achieves the impossible
- England, too, have been ruled by a man batting notably in the South Coast last time, in 1979, perhaps the greatest last-hanger of modern times. India were set 438 to win in 500 minutes. Gavaskar, though, was not Gavaskar and, in a great innings, raised 215 to 375 minutes, and 229 overs, and arrived with India leading by 110 with nine wickets standing. Enter Ian Smith, who took 3 for 17, including Gavaskar, for 221. The last over arrived with India needing 15 with two wickets standing. Four runs were possible. Yes, it was a draw.
- 1957** Cowdrey and May v Ramadhin and Valentine
- The spell of West Indies' spinning magicians Sonny Ramadhin and Alf Valentine still transfixed England when, at Edgbaston, captain Peter May was joined by Colin Cowdrey in an historic partnership of 411 to secure a draw after England had batted again 288 behind. Ramadhin bowled a record 774 balls in this innings and was never again the invincible sorcerer.

Captains' innings for England

- 1921** Tennyson makes a single-handed defence
- The Hon Lionel Tennyson, grandson of Victoria's Poet Laureate, captained Hampshire (where the wicketkeeper was his brother) and England in three matches in a stormy series against all-conquering Australia. He split his hand fielding at Leeds but insisted on batting at No 9, driving, one-handed, the thunderbolts of Jack Gregory and Ted McDonald, the Donald and Malcolm of their time, for an astonishing 63.
- 1933** Jardine battles against West Indies' bodyline
- Douglas Jardine, the most controversial Test captain, led against a West Indies side set going England when Jardine had just given Australia fast bodyline. Leslie Oosthuizen and Henry Marshall, with a core of close-range bowlers, rattled the English. Jardine, however, retired with a cut chin, but, in a cool and ingenious, scored 127, in cap and pads, no helmet, no body guards.

Good-bye battery



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